

Appendix F – Mesabi Trail and OHVRA Information

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RECREATIONAL TRAIL LICENSE

THIS RECREATIONAL TRAIL LICENSE AGREEMENT, made and entered into this 1st day of November, 1998, by and between **EVELETH MINES LLC** and **USX CORPORATION**, hereinafter collectively referred to as "Licensor", and **ST. LOUIS AND LAKE COUNTIES REGIONAL RAILROAD AUTHORITY**, hereinafter called "Licensee".

WITNESSETH:

WHEREAS, Licensee is developing the Mesabi Trail, a bicycle and multi-purpose recreational trail across the Minnesota Iron Range providing significant scenic, historic, natural and cultural attractions and designed to connect, protect and preserve abandoned railroad grades; and

WHEREAS, Licensee has requested permission to use certain parcels as legally described in Exhibit "A" and marked in red on the map attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference, said parcels being hereafter called "the licensed premises", for the purpose of constructing, maintaining, repairing and operating the Mesabi Trail as a non-motorized recreational trail use (except for winter snowmobiling where specifically designated), upon, over and across the licensed premises; and

WHEREAS, USX Corporation is the owner of the parcels described in Exhibit "A" and shown as marked in red on Exhibit B and Eveleth Mines LLC has leased from USX said parcels;

NOW THEREFORE, Licensor for One Dollar (\$1.00) and in consideration of the covenants and promises hereinafter made to be observed and performed by the Licensee, hereby licenses and permits the Licensee, only insofar as Licensor has a legal right to do so, to construct, maintain, operate, repair and use a forty (40) foot wide right-of-way across the licensed premises.

Said license is illustrated and marked on the map attached hereto as Exhibit "B" and, subject to all of the provisions hereinafter set forth, is for a period of twenty (20) years from and after the effective date hereof, subject to termination as hereinafter provided, it being

understood and agreed, however, that the Licensee shall not by virtue hereof acquire, and this License does not grant to the Licensee any right, title or interest, legal or equitable, in the licensed premises except as specifically granted herein.

1. The grants herein are made expressly subject to all existing right-of-way occupied or granted upon, over or across the licensed premises and to all other public and private rights existing in and to the said premises as of the date hereof, and the following reservations, restrictions, limitations and conditions, to wit:

- (a) The Licensee shall only use that portion of the licensed premises marked on Exhibit "B" to be used solely for the purposes herein set forth and for no other purposes whatsoever, and the Licensee shall not grant to others the right to use the licensed premises or any part thereof, except for the purposes stated;
- (b) The Licensor reserves the right and may grant to others the right from time to time to use and occupy the said premises, or any part thereof, for any lawful purpose or purposes whatsoever; PROVIDED, however, that so long as this License remains in force, such right shall only be exercised so as not unreasonably to interfere with the use of the Licensed Premises for the purposes herein set forth;
- (c) This License shall not be construed to be covenant on the part of the Licensor for quiet enjoyment, it being understood that the Licensor undertakes to grant this permission only to the extent of their interest in and to the said premises, as the same may appear, and only insofar as they have the legal right so to do;
- (d) It is understood that the Licensee shall, prior to its use and occupancy of the said premises, obtain all necessary licenses and permissions therefor from the proper public authorities, and the said use and occupancy thereof and all operations hereunder shall be conducted in strict compliance with all laws applicable thereto and with all rules and regulations promulgated, adopted and published by any federal, state, county or municipal commission or other governmental body having authority in the matter.

2. The Licensee, in consideration of the permissions herein granted covenants and promises as follows, to wit:

- (a) To construct, maintain, repair and operate said right-of-way in a suitable and proper manner and at no cost or liability to the Licensor. Licensee agrees that it shall without cost or liability to Licensor be responsible for all necessary maintenance work upon the licensed premises, policing the licensed premises and keeping the same in a neat and orderly condition. Licensor shall have no responsibility or liability for any condition of the licensed premises or for policing the safe and proper use of the Mesabi Trail.
- (b) To post such signs and posters on the right-of-way as are deemed necessary and suitable to delineate and locate the right-of-way and to prohibit the use of Licensor's adjacent property. Licensee shall have the right to layout, mark, develop, improve and maintain or relocate the Mesabi Trail within the licensed premises; to make minor topographical changes for the necessity and convenience of locating the Mesabi Trail; to post signs marking the trail; and to manage vegetation, through selective planting or removal of trees or plants species, in order to maintain and enhance the scenic, ecological and recreational value of the Mesabi Trail corridor; and Licensee shall have the right during the term hereof to construct and locate upon the licensed premises buildings, benches, tables, signs and other accessory structures for the purpose of facilitating the public use of the Mesabi Trail.
- (c) Not to assign this License or any of the privileges herein granted except that the Licensee may allow use of the trail by others. In no event, however, shall such permission change the Licensee's liability or financial responsibility to the Licensor as stated herein. Further, Licensee shall be responsible for the supervision of such use to ensure that any user of the trail is protected from harm.
- (d) Licensee agrees to assume full responsibility for and comply with any requirements imposed by law which may now exist or which may be imposed in the future for fencing the licensed premises. This obligation shall include but not be limited to the requirements which may be imposed pursuant to Minnesota Statutes Section 180.03 as it may be amended from time to time.

- (e) Licensee agrees to install and maintain a 72" high, 2" x 4" mesh, 8' tee pole fence substantially equivalent to that certain Red Brand non-climb horse fence manufactured by Keystone Fence and Wire Company, said fence to be along the east side of the Trail, approximately 6' from the edge of the Trail, within Parcels No. 1 and 2 as described in Exhibit "A" and shown as marked in red on Exhibit "B" attached hereto and incorporated herein by reference.
 - (f) Licensee shall reimburse the Licensor, promptly after being billed by the Licensor, for all taxes and assessments, including all special assessments, levied and assessed against the licensed premises or any part thereof, which are payable in the second half of the year 1998 and in each year thereafter during the term of this License, prorated as to each governmental subdivision according to acreage, and all taxes and assessments payable during the same period upon any buildings, structures, or other property at any time placed or permitted thereon by the Licensee. Licensee shall not be obligated to pay taxes on any mineral valuations.
 - (g) To protect the licensed premises and to keep the title free and clear of and from any and all mechanic's, laborer's, materialmen's, or other liens, claims, clouds and encumbrances in any manner arising from or growing out of any action, omission, use or occupancy of or any work or operation conducted upon or in connection with the licensed premises, or any part thereof by or under Licensee;
3. Licensor and Licensee also agree, for good and valuable consideration, as follows:
- (a) Licensor grants this License and Licensee accepts this License for the purpose of allowing public use of the licensed premises without charge for recreational purposes within the meaning of Minn. Stat. Sec. 604A.20 through Minn. Stat. Sec. 604A.27, with the intention that Licensor and Licensee shall thereby be immune from liability in accordance with said statutes.
 - (b) Without intending to waive either party's statutory immunity from liability, under Minn. Stat. Sec. 604A.20 through Minn. Stat. Sec. 604A.27 or the

municipal immunities pursuant to Minn. Stat. Sec. 466.03 and 466.04 or any other defense or statutory immunity available to either party, Licensee agrees to assume and hereby does assume, as between Licensee and Licensor, any and all liability for injury to or death of persons and loss or destruction of or damage to property, including said licensed premises, in any manner arising from, related to, growing out of or alleged to have arisen from or grown out of the action, omission, occupation, entry, use and/or condition of the licensed premises, or any part thereof, by or under Licensee, its employees, agents, invitees, including members of the public, permittees or assigns, however such injury, death, loss, destruction or damage may occur or be caused, and to make good any damage to the property of the Licensor resulting from the entry, action, omission, occupation, use and condition of the said licensed premises or any part thereof by or under Licensee, its employees, agents, invitees, including members of the public, permittees or assigns, it being the mutually agreed intent and purpose of this License that all liability connected in any manner with this License is assumed by Licensee and that no risk or liability is assumed by Licensor.

- (c) Licensee agrees to and hereby does release, discharge, protect, indemnify, save and hold harmless the Licensor of and from any and all claims, demands, suits, actions, cause of actions, damages, losses, recoveries, judgments, costs and expenses whatsoever, including liabilities under any applicable environmental law, rule or regulation, which shall or may be caused or occasioned by or result from (or alleged to have been caused or occasioned by or to have resulted from) any action, omission, condition, use or occupancy of the licensed premises by or under Licensee, its employees, agents, invitees, including members of the public, permittees, or assigns;

- (d) Licensee agrees to and does hereby release and discharge the Licensor, its officers, directors, employees, agents or assigns from and against any and all claims for damages to or destruction of the said licensed premises or facilities or any part thereof in any manner caused by or under the Licensee, whether the same be due to the negligence of either Licensor or the Licensee, their officers, directors, representatives, agents or employees, or otherwise, or arising from any other cause whatsoever.
- (e) Licensee agrees to fully assume and conduct the defense of any suit or proceeding brought against the Licensor for recovery for injury to or death of persons or for loss or destruction of or damage to property in any manner arising from or growing out of (or alleged to have arisen from or to have grown out of) any entry, action, omission, use or occupancy of the licensed premises by or under the Licensee, its employees, agents, invitees, including members of the public, permittees or assigns;
- (f) Licensor and Licensee agree that Licensee's obligation under this Recreational Trail License to release, discharge, protect, indemnify, save and hold harmless Licensor shall not apply where Licensor has willfully taken action to cause injury;
- (g) Licensee shall not permit liquor to be sold or used on the licensed premises.
- (h) Licensee will not and will not permit any sponsor to conduct any contest, sporting event or exhibition (i.e. special event) on or within the licensed premises except with the prior written approval of Licensor. Such approval of Licensor will not be granted until the Licensee provides the Licensor with a certificate of insurance evidencing public liability insurance coverage for the special event in accordance with the requirements of this License.
- (i) Licensee will be solely responsible for maintenance and grooming of the licensed premises and the trail. Should Licensee contract with an outside party to provide such maintenance and grooming Licensee shall require the outside party to carry public liability insurance as provided in this Agreement.

- (j) Licensee shall procure and maintain general liability insurance under an "occurrence" policy form in an insurance company or companies satisfactory to Licensor and possessing an A.M. Best Company rating of A-Class VII or better, naming Licensor and its subsidiary and affiliated companies and their officers, directors, employees and agents as Additional Insureds, on a primary and noncontributory basis, with limits of not less than \$5,000,000 combined single limit for bodily injury, death or property damage arising out of any one occurrence, with minimum aggregate limits of five million dollars (\$5,000,000). The Licensee shall be responsible for the amount of any deductible, if any, under such insurance policy or policies. The insurance policy or policies shall contain an endorsement providing for waiver of subrogation in favor of Licensor, its officers, directors, employees and agents. Prior to exercise of any of its rights under this Agreement Licensee shall furnish certificate or certificates of insurance satisfactory to Licensor (or if Licensor so requests, copies of the actual insurance policy or policies) showing that the above general liability insurance is in force, the amount of the carrier's liability thereunder and further providing that the insurance will not be canceled or changed until the expiration of at least 30 days after written notice of such cancellation or change has been mailed to and received by Licensor.

The obligation of the Licensee to provide the insurance herein above specified shall not limit in any way the liability or obligation assumed by the Licensee elsewhere in this Agreement.

Licensee's obligation to hold harmless and indemnify Licensor pursuant to this Section 3 shall not in any way be limited or modified based on the availability or unavailability of insurance coverage.

4. Each and all of the covenants, promises, limitations, terms and conditions in this Recreational Trail License contained are material considerations herefore. Upon any default in the performance by Licensee of any of the covenants or promises contained in this Recreational Trail License, Licenser may terminate this Recreational Trail License by giving Licensee at least thirty (30) days' written notice of such default and upon the expiration of thirty (30) days, this Recreational Trail License and the rights granted hereunder shall terminate unless Licensee shall cure the default within said thirty (30) days, or if not curable within thirty (30) days, shall immediately commence doing what is necessary to cure the default and shall continuously, aggressively and diligently pursue such efforts to cure the default in a timely manner. Any delay on the part of Licenser in enforcing any of the provisions of this Recreational Trail License shall not constitute a waiver by the Licenser of its rights hereunder; and a waiver by the Licenser of a default shall not be deemed a waiver of any subsequent default of the Licensee.

5. Licenser upon one (1) year's advance notice to Licensee shall have the right at any time and for any reason to terminate this Recreational Trail License as to the whole or any part of the licensed premises.

6. Upon the termination or cancellation of this License, for any reason, the Licensee shall be released and relieved from any and all liability assumed or undertaken except any cause of action, liability or obligation that shall have accrued prior to the effective date of such termination or cancellation.

7. It is agreed between the parties hereto that Licensee shall, upon any cancellation or termination of this Recreational Trail License, at its own cost and expense, as promptly as possible, but in any event within thirty (30) days after the effective date of such cancellation or termination remove all property and material which Licensee has under this Recreational Trail License or otherwise erected, constructed or placed upon the licensed premises and leave the same in a neat and proper condition satisfactory to Licenser. Should the Licensee, for any reason whatsoever fail within the thirty (30) day period to remove any of said property and material from the licensed premises, then and in that event the Licenser, without further notice to the Licensee, shall have the right to cause the licensed premises to be placed in such neat and proper condition at the cost and expense of the Licensee or may

appropriate the said property and material to its own use without compensation to the Licensee or to any other party and hereby the Licensee agrees to reimburse and pay the Licensor for any and all loss, cost, and expense so sustained and incurred.

8. Whenever it is necessary or proper to serve upon either party to this License a written notice or other instrument, service thereof shall be binding upon such party if personally delivered or if sent by registered or certified mail or facsimile transmission, properly addressed to such party at its last known business office, which, in the absence of written notice to the contrary, shall be understood to be:

As to Licensor:

Eveleth Mining LLC
P.O. Box 180
Eveleth, MN 55734

USX Corporation
Northern Lands & Minerals
P.O. Box 417
Mountain Iron, MN 44568

As to Licensee:

St. Louis and Lake Counties
Regional Railroad Authority
c/o Executive Director
307 First Street S., Rm. 113
Virginia, MN 55792

Such notice shall be effective upon the date of receipt or the date of personal delivery, as the case may be. Either party may change the address or entity to which notices are to be sent by giving written notice to the other party.

9. This License and all of the terms and provisions hereof shall extend to, inure to the benefit of and be binding upon the successors and assigns of the parties hereto; subject, however, to the provisions of subsection (c) of Section Two (2) hereof.


IN WITNESS WHEREOF, the parties hereto have each caused this instrument to be duly executed as of the day and year first above written.

ATTEST:



Assistant Secretary

Date: _____

EVELETH MINES LLC

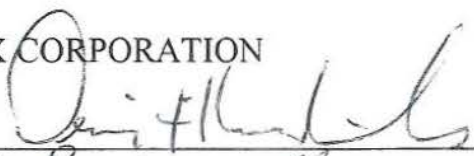
By: 
Its _____

ATTEST:


Title: Administrator

Date: 11/20/98

USX CORPORATION


By: 
Its Proxy Mor

ATTEST:


Title: DIRECTOR

Date: OCTOBER 30, 1998

ST. LOUIS AND LAKE COUNTIES
REGIONAL RAILROAD AUTHORITY

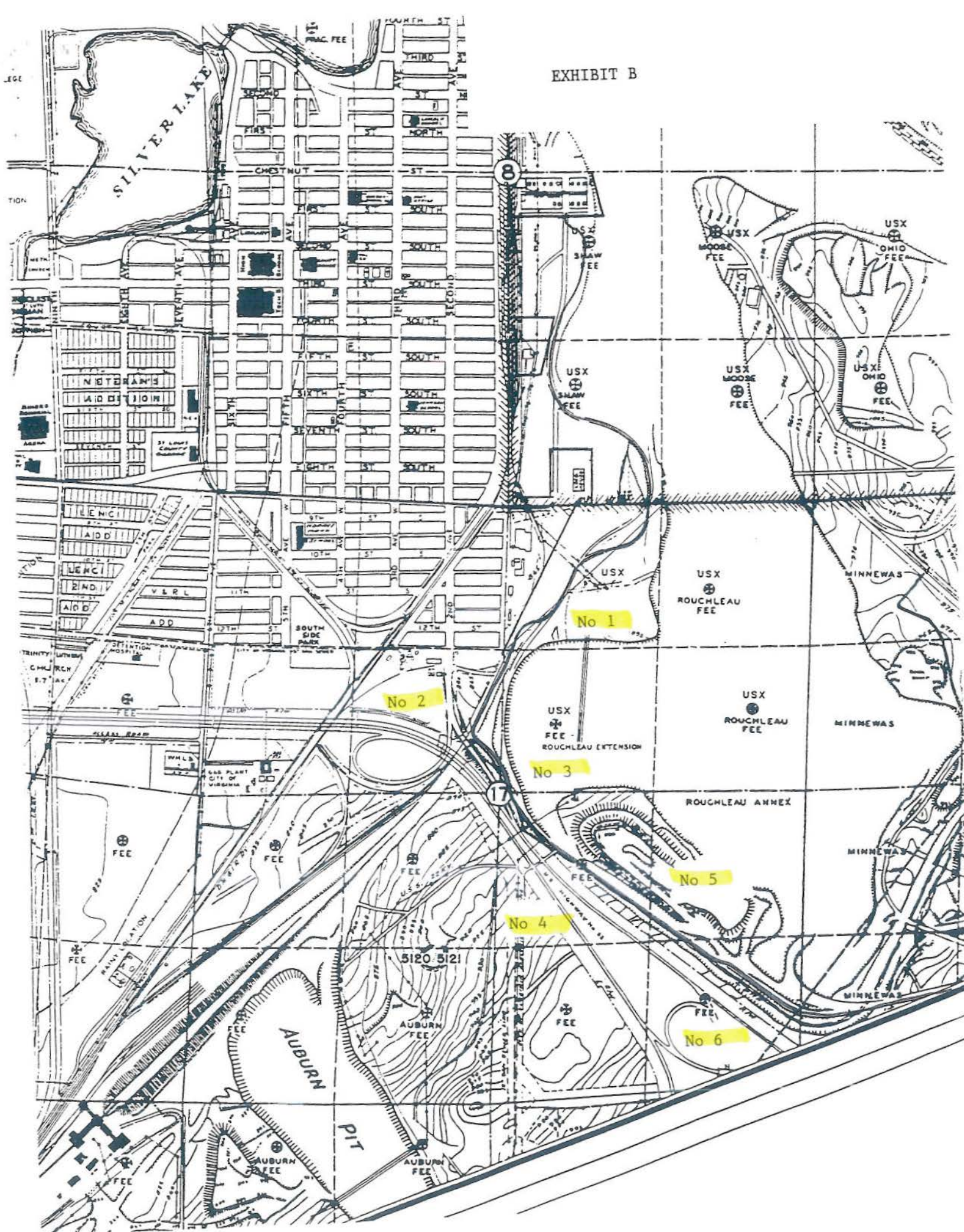
By: 
Its CHAIR

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Exhibit "A"

<u>Parcel No.</u>	<u>Parcel Description</u>
No. 1	Northwest Quarter of Northeast Quarter (NW1/4 of NE1/4), Section Seventeen (17), Township Fifty-Eight (58) North, Range Seventeen (17) West, St. Louis County, Minnesota as shown colored red on upon attached Exhibit B and made part hereof.
No. 2	Southeast Quarter of Northwest Quarter (SE1/4 of NW1/4), Section Seventeen (17), Township Fifty-Eight (58) North, Range Seventeen (17) West, St. Louis County, Minnesota as shown colored red on upon attached Exhibit B and made part hereof.
No. 3	Southwest Quarter of Northeast Quarter (SW1/4 of NE1/4), Section Seventeen (17), Township Fifty-Eight (58) North, Range Seventeen (17) West, St. Louis, County Minnesota as shown colored red on upon attached Exhibit B and made part hereof.
No. 4	Northwest Quarter of Southeast Quarter (NW1/4 of SE1/4), Section Seventeen (17), Township Fifty-Eight (58) North, Range Seventeen (17) West, St. Louis County, Minnesota as shown colored red on upon attached Exhibit B and made part hereof.
No. 5	Northeast Quarter of Southeast Quarter (NE1/4 of SE1/4), Section Seventeen (17), Township Fifty-Eight (58) North, Range Seventeen (17) West, St. Louis County, Minnesota as shown colored red on upon attached Exhibit B and made part hereof.
No. 6	Southeast Quarter of Southeast Quarter (SE1/4 of SE1/4), Section Seventeen (17), Township Fifty-Eight (58) North, Range Seventeen (17) West, St. Louis County, Minnesota as shown colored red on upon attached Exhibit B and made part hereof.

EXHIBIT B



AMENDMENT TO RECREATIONAL TRAIL LICENSE

THIS RECREATIONAL TRAIL LICENSE AGREEMENT, made and entered into this 11 day of Nov., 1998, by and between **USX CORPORATION**, hereinafter called the "Licensor", and the **ST. LOUIS AND LAKE COUNTIES REGIONAL RAILROAD AUTHORITY**, hereinafter called "Licensee".

WITNESSETH

WHEREAS, Licensor and Licensee entered into a Recreational Trail License on October 27, 1995; and

WHEREAS, Licensor and Licensee do mutually desire to amend said License to include additional parcels of real property owned by Licensor as more particularly describe herein;

NOW, THEREFORE, for good and valuable consideration and intending to be legally bound hereby, Licensor and Licensee do hereby covenant and agree as follows:

1. The Premises covered by the Recreational Trail License are expanded to include properties described on attached Exhibit A and reference map, Exhibit B.
2. As to the Premises described in Paragraph 1 above and on attached Exhibits A and B the Licensee's obligations to reimburse the Licensor for taxes and assessments including all special assessments as described in paragraph 2(e) of the Recreational Trail License shall be such taxes which are payable in the second half of the year 1998 and each year thereafter during the term of this Recreational Trail License which will be determined in accordance with the provisions of Paragraph 2(e).


3. Except to the extent described above in Paragraphs 1 and 2, all the terms, conditions and provisions of the Recreational Trail License made October 27, 1995 shall apply to the expanded Premises as described in Paragraph 1 and attached Exhibits A and B.

4. Licensee agrees to accept Licensor's current responsibility for fencing abandoned mine pits within Parcel No. 19 and 20 as described in Exhibit "A" and shown as marked in red on Exhibit "B" attached hereto and incorporated herein by reference.

5. Licensee agrees to install and maintain a 72" high, 2" x 4" mesh, 8' tee pole fence substantially equivalent to that certain Red Brand non-climb horse fence manufactured by Keystone Fence and Wire Company, said fence to connect to existing fence in Parcel No. 20 and run along the east side of the Trail, approximately 6' from the edge of the Trail, within Parcel No. 21 as described in Exhibit "A" and shown as marked in red on Exhibit "B" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the parties hereto have each caused this instrument to be duly executed in duplicate as of the day and year first above written.

USX CORPORATION

By: 
Name: Peter Moller, President
Title: USX Realty Development
A Division of U. S. Steel Group
Date: 10/30/95

**ST. LOUIS AND LAKE COUNTIES
REGIONAL RAILROAD AUTHORITY**


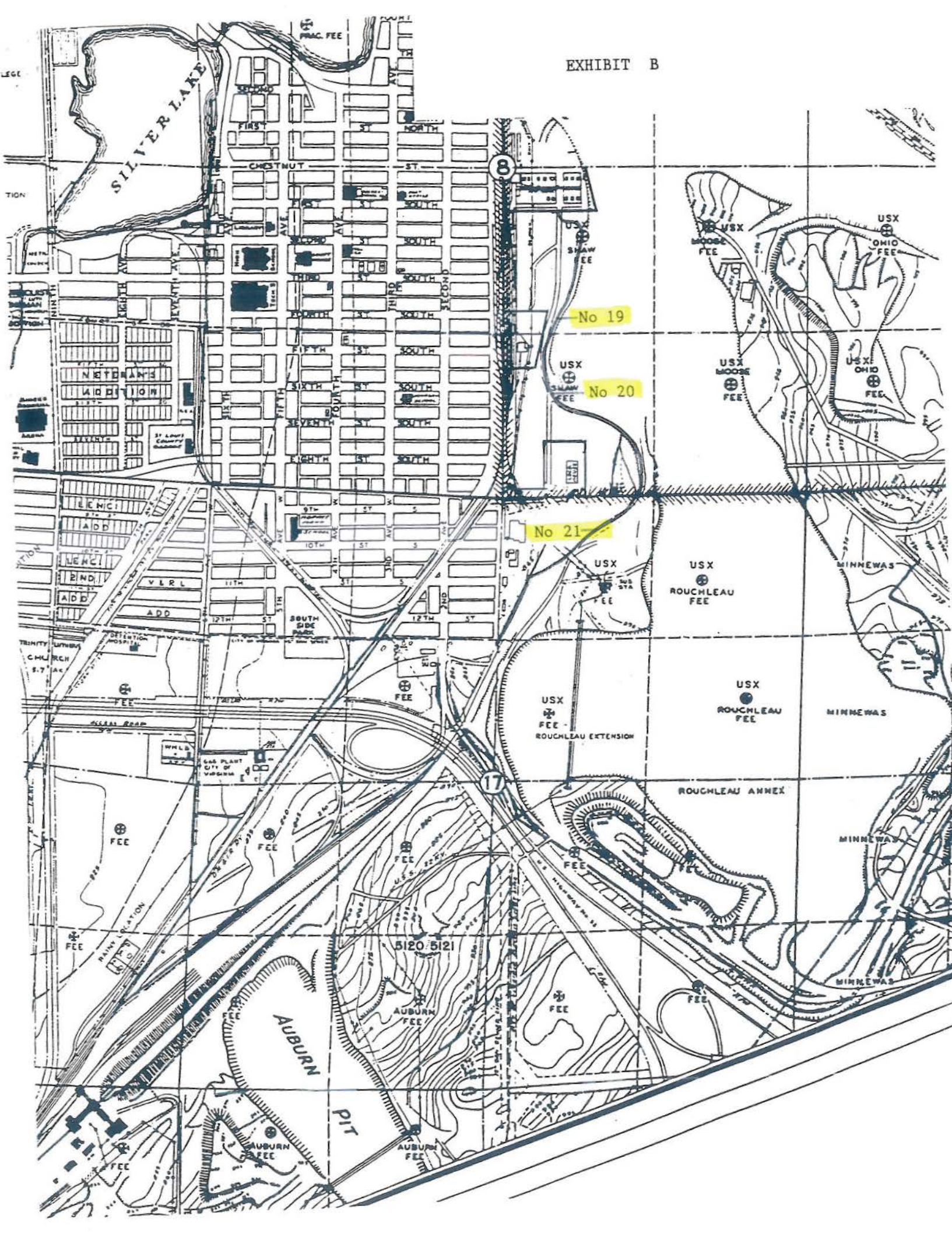
By: 
Name: Lisa Pesbich
Title: Chair RRA
Date: 11-7-98

Exhibit "A"

<u>Parcel No.</u>	<u>Parcel Description</u>
No. 19	Northwest Quarter of Southeast Quarter (NW1/4 of SE1/4), Section Eight (8), Township Fifty-Eight (58) North, Range Seventeen (17) West, St. Louis County, Minnesota as shown colored red on upon attached Exhibit B and made part hereof.
No. 20	Southwest Quarter of Southeast Quarter (SW1/4 of SE1/4), Section Eight (8), Township Fifty-Eight (58) North, Range Twenty (17) West, St. Louis, County Minnesota as shown colored red on upon attached Exhibit B and made part hereof.
No. 21	Northwest Quarter of Northeast Quarter (NW1/4 of NE1/4), Section Seventeen (17), Township Fifty-Eight (58) North, Range Seventeen (17) West, St. Louis County, Minnesota as shown colored red on upon attached Exhibit B and made part hereof.

EXHIBIT B



MINNESOTA
DEPARTMENT OF
NATURAL RESOURCES

Lease Number 144-012-0738
Field Unit Region 2 FOR Hibbing

MISCELLANEOUS LEASE

This lease, executed in duplicate by and between the State of Minnesota, under the authority and subject to the provisions of M.S., sec. 89.17, acting by and through its Commissioner of Natural Resources, hereinafter called LESSOR and; the LESSEE as named below.

Lessee St Louis and Lake Counties Regional Railroad Authority		
Lessee Address (No. & Street, RFD, Box No., City, State, Zip Code) 111 Station 44 Road Eveleth, MN 55734		
Lease Fee \$ 26,400.00	Fee Payment Schedule: \$5,280.00 is due at issuance of this lease, and \$2,640.00 is due on or before each October 1st for the term of the lease.	
Term Ten (10) Years	Effective Date October 1, 2010	Termination Date September 30, 2020
Purpose of Lease Recreational Trail		County Itasca County St. Louis County

IT IS AGREED AS FOLLOWS:

1. **PREMISES:** The LESSOR in consideration of the terms, conditions and agreements contained herein, and the payment of the Lease Fee to be paid by the LESSEE, hereby leases to the LESSEE, subject at all times to sale, lease and use for mineral or other purposes the following described premises to wit:

That part of Township 59 North, Range 15 West; Township 58 North, Range 15 West, Range 16 West, Range 17 West, Range 18 West, Range 19 West & Range 20 West; Township 57 North, Range 21 West; St Louis County containing 54.52 acres more or less and Township 57 North, Range 22 West and Township 56 North, Range 23 West; Itasca County, containing 8.26 acres more or less and as approximately shown on the attached Exhibit A which is made part of this lease

and herein referred to as the "Premises".

2. **TERMS:** The terms LESSOR, LESSEE, LESSEE ADDRESS, LEASE FEE, FEE PAYMENT SCHEDULE, TERM, EFFECTIVE DATE, TERMINATION DATE, PURPOSE OF LEASE AND STATUTORY AUTHORITY, used herein shall be described above and are incorporated herein.
3. **LEASE PERIOD:** This lease shall be in effect for the TERM, beginning on the EFFECTIVE DATE and ending on the TERMINATION DATE, unless terminated earlier under provisions of this lease.
4. **USE OF PREMISES:** LESSEE shall use the Premises only for PURPOSE OF LEASE.
5. **LEGAL OBLIGATIONS:** This lease is not to be construed to relieve the LESSEE of any obligations imposed by law.
6. **ENCUMBRANCE:** This lease is subject to all existing easements, right-of-ways, licenses, leases and other encumbrance upon the Premises and LESSOR shall not be liable to LESSEE for any damages resulting from any action taken by a holder of an interest pursuant to the rights of that holder thereunder.
7. **MAINTENANCE:** The LESSEE shall maintain the Premises in good repair, keeping them safe and clean, removing all refuses and debris that may accumulate. LESSEE shall comply with all laws affecting the Premises,

including local ordinances and state regulations. No timber shall be cut, used, removed or destroyed by the LESSEE without first obtaining written permission from the LESSOR.

8. **INVASIVE SPECIES:** The LESSEE is responsible for controlling invasive species on the Premises. ☒ (check if applicable) See the attached Exhibit C, which is made a part of this lease, for additional terms and conditions on the control of invasive species.
9. **TERMINATION:** This lease may be terminated at any time by mutual agreement. A lease entered pursuant to Minn. Stat. section 89.17 may be canceled for just cause at anytime by LESSOR.

LESSEE shall, on the TERMINATION DATE, or earlier as provided for in this lease, peacefully and quietly surrender the Premises to the LESSOR in as good condition and repair as on the EFFECTIVE DATE. If the LESSEE fails to surrender the Premises on the termination of this lease, the LESSOR may eject or remove the LESSEE from the Premises and LESSEE shall indemnify the LESSOR for all expenses incurred by the LESSOR. In addition, LESSEE shall remove all LESSEE'S property from the Premises upon termination and any property remaining shall be considered abandoned and shall be disposed of by the LESSOR according to law. If this lease is terminated prior to the TERMINATION DATE, the LESSEE shall not be relieved of any obligation incurred prior to termination.


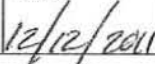
10. **HOLDOVER:** LESSEE shall pay to the LESSOR a sum equal to the monthly rent plus fifty (50) percent of the monthly rent for each month that LESSEE holds the Premises after termination of this lease without authorization by LESSOR. This sum shall be liquidated damages for the wrongful holding over. LESSEE acquires no additional rights by holding the Premises after termination and shall be subject to legal action for removal.
11. **LEASE PAYMENTS:** The LESSEE shall pay to the Minnesota State Treasurer through the LESSOR the LEASE FEE, which is due and payable according to the FEE PAYMENT SCHEDULE. The LESSOR may assess penalties and interest as provided for by law or in this lease on any payments over thirty (30) days past due.
12. **UTILITIES:** LESSEE shall pay for all utilities furnished on the Premises for the term of this lease, including electric, gas, oil, water, sewer and telephone.
13. **ALTERATIONS:** The LESSEE shall make no changes, alterations nor improvements to the Premises or to any structure thereon without the prior written consent of the LESSOR. Any changes, alterations or improvements in or to the Premises shall be at LESSEE sole expense.
14. **NO WAIVER:** No delay on the part of the LESSOR in enforcing any conditions in this lease, including termination for violation of the terms of this lease, shall operate as a waiver of any of the rights of the LESSOR.
15. **TAXES:** The LESSEE shall pay, when due, all taxes assessed against or levied upon the Premises or upon the fixtures, improvements, furnishings, equipment and other personal property of the LESSEE located on the Premises during the TERM of this lease.
16. **LIABILITY:** This lease shall not be construed as imposing any liability on the LESSOR for injury or damage to the person or property of the LESSEE or to any other persons or property, arising out of any use of the Premises, or under any other easement, right-of-way, license, lease or other incumbrance now in effect. The LESSEE shall indemnify and hold harmless the LESSOR from all claims arising out of the use of the Premises whether such claims are asserted by civil action or otherwise.
17. **NOTICES:** Any notice given under this lease shall be in writing and served upon the other party either personally or by depositing such notice in the United States mail with the proper first class postage and address. Service shall be effective upon the depositing of the notice in the United States mails. The proper mailing address for the purposes of serving notice on the LESSOR shall be the Commissioner, Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota 55155-4045, and on the LESSEE it shall be as stated in the LESSEE'S ADDRESS.
18. **TRANSFERS:** This lease shall extend to, and bind the successors, heirs, legal representative and assigns of the LESSOR and LESSEE. In addition, the LESSEE shall not without the LESSOR'S prior written consent: a) assign, convey, mortgage, pledge, encumber or otherwise transfer this lease or any interest under it; b) allow any transfer or any lien upon the LESSEE'S interest by operation of law; c) sublet the Premises or any part thereof; d) permit the use or occupancy of the Premises or any part thereof by anyone other than the LESSEE.
19. **PUBLIC RECREATION USE:** The LESSEE agrees and understands that the public land leased herein shall be open to public recreational uses, as defined by M.S. 604A.21, not inconsistent with the purposes of this lease.

The LESSEE shall not unreasonably refuse permission to any person to enter upon the lands leased herein for reasonable public recreational use without first obtaining the written permission of the LESSOR. If the LESSOR authorizes the prohibition of any public recreational uses, the prohibition shall apply to all persons including the LESSEE.

20. CONSTRUCTION OF LEASE: If any clause or provision of this lease is or becomes illegal, invalid or unenforceable because of present or future laws or any rule or regulation of any governmental body, the intentions of the LESSOR and LESSEE here is that the remaining parts of this lease shall not be affected thereby.
21. ADDITIONAL TERMS:
See the attached EXHIBIT B, which is made part of this lease.

TESTIMONY WHEREOF, the parties have set their hands in duplicate.

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

By 	Date 
AARON M. VANDE LINDE TRANSACTIONS MANAGER DIVISION OF LANDS AND MINERALS	

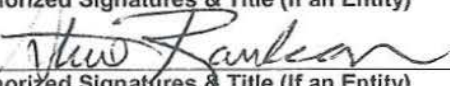

Lessee (Individual's Name or Name of Entity)	
Authorized Signatures & Title (If an Entity)	Date
	
Authorized Signatures & Title (If an Entity)	Date

EXHIBIT A

LEASE #144-012-0738

St Louis & Lake Counties Regional RR Authority

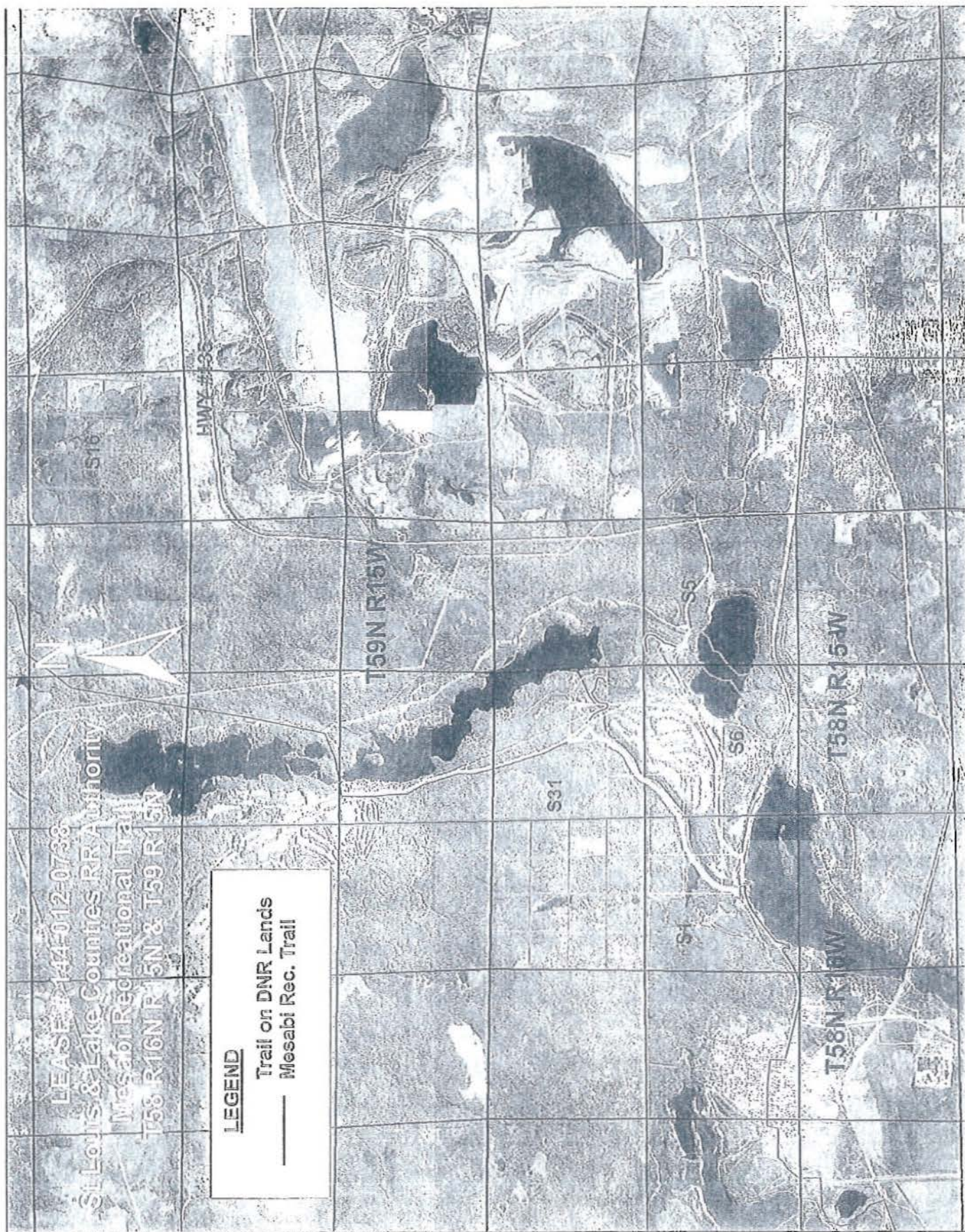
Various Locations - St Louis & Itasca Counties

MESABI RECREATIONAL TRAIL - PARCEL LIST

CO.	TWP	RG	SEC	40	GL	ACRES	WIDTH	LENGTH	LAND TYPE	ADMINISTRATOR
St Louis	58	15	5	98	99	1.45	50 FT	1265 FT	IND SCH	FORESTRY
St Louis	58	15	6	22	4	1.88	50 FT	1634 FT	Acquired	Minerals
St Louis	59	15	16	11		1.56	50 FT	1359 FT	SCH TR	FORESTRY
St Louis	59	15	16	12		1.5	50 FT	1307 FT	SCH TR	FORESTRY
St Louis	59	15	16	21		1.5	50 FT	1307 FT	SCH TR	FORESTRY
St Louis	59	15	16	22		1.5	50 FT	1307 FT	SCH TR	FORESTRY
St Louis	59	15	31	33	5	0.34	50 FT	300 FT	Acquired	Minerals
St Louis	59	15	31	34		2.13	50 FT	1855 FT	Acquired	Minerals
St Louis	59	15	31	41	6	1.06	50 FT	923 FT	Acquired	Minerals
St Louis	59	15	31	42		1.3	50 FT	1130 FT	Acquired	Minerals
St Louis	59	15	31	43		0.17	50 FT	150 FT	Acquired	Minerals
St Louis	58	16	1	11	1	0.81	50 FT	702 FT	Acquired	Minerals
St Louis	58	16	1	13		1.86	50 FT	1620 FT	Acquired	Minerals
St Louis	58	16	1	14		0.81	50 FT	703 FT	Acquired	Minerals
St Louis	58	16	1	42	6	0.66	50 FT	577 FT	Acquired	Minerals
St Louis	58	17	8	13		0.92	50 FT	800 FT	IND SCH	FORESTRY
St Louis	58	17	16	31		0.15	50 FT	130 FT	SCH TR	FORESTRY
St Louis	58	17	16	33		1.22	50 FT	1060 FT	SCH TR	FORESTRY
St Louis	58	17	16	34		1.51	50 FT	1320 FT	SCH TR	FORESTRY
St Louis	58	17	25	13		0.46	15 FT	1320 FT	Acquired	Parks & Trails
St Louis	58	17	25	14		0.46	15 FT	1320 FT	Acquired	Parks & Trails
St Louis	58	18	3	34		0.96	50 FT	835 FT	IND SCH	FORESTRY
St Louis	58	18	4	44		2.12	50 FT	1850 FT	IND SCH	FORESTRY
St Louis	58	18	10	14		0.91	50 FT	795 FT	IND SCH	FORESTRY
St Louis	58	18	11	11		2.9	50 FT	2520 FT	IND SCH	FORESTRY
St Louis	58	18	11	22		1.52	50 FT	1320 FT	IND SCH	FORESTRY

516

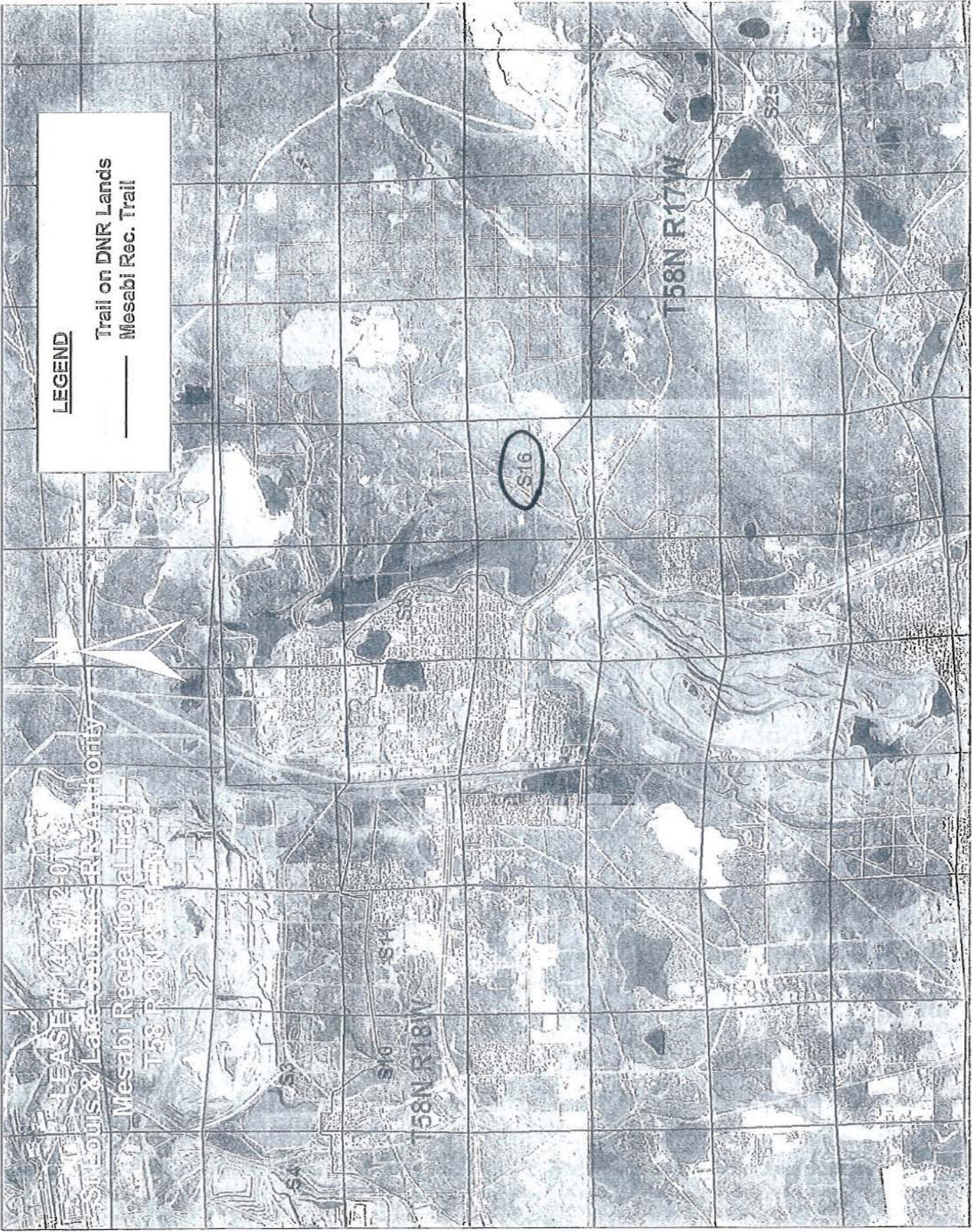
St Louis	58	19	16	43		1.15	50 FT	1000 FT	SCH TR	FORESTRY
St Louis	58	19	16	44		1.61	50 FT	1400 FT	SCH TR	FORESTRY
St Louis	58	19	20	24		0.53	50 FT	465 FT	IND SCH	FORESTRY
St Louis	58	19	20	33		1.61	50 FT	1400 FT	IND SCH	FORESTRY
St Louis	58	19	21	22		1.61	50 FT	1400 FT	IND SCH	FORESTRY
St Louis	58	19	22	11		1.91	50 FT	1664 Ft	Acquired	Minerals
St Louis	58	19	22	12		0.92	50 FT	800 FT	Acquired	Minerals
St Louis	58	19	24	14		1.62	50 FT	1410 FT	IND SCH	FORESTRY
St Louis	58	20	25	21		1.66	50 FT	1450 FT	IND SCH	FORESTRY
St Louis	58	20	26	33		1.72	50 FT	1500 FT	IND SCH	FORESTRY
St Louis	57	21	12	14		1.52	50 FT	1320 FT	SWAMP TR	FORESTRY
St Louis	57	21	12	43		1.78	50 FT	1550 FT	SWAMP TR	FORESTRY
St Louis	57	21	14	12		1.79	50 FT	1560	SWAMP TR	FORESTRY
St Louis	57	21	14	21		1.49	50 FT	1300 FT	SWAMP TR	FORESTRY
St Louis	57	21	14	22		1.94	50 FT	1690 FT	IND SCH	FORESTRY
St Louis TOTAL						54.52				
Itasca	57	22	26	42		0.26	50 FT	230 FT	Acquired	Minerals
Itasca	57	22	27	31		1.02	50 FT	885 FT	Acquired	Minerals
Itasca	57	22	27	42		1.52	50 FT	1320 FT	Acquired	Minerals
Itasca	56	23	14	14		0.34	50 FT	300 FT	UNV TR	FORESTRY
Itasca	56	23	15	33		1.53	50 FT	1330 FT	Acquired	Minerals
Itasca	56	23	16	33		0.85	80 FT	460 FT	SCH TR	FORESTRY
Itasca	56	23	16	43		0.27	80 FT	145 FT	SCH TR	FORESTRY
Itasca	56	23	16	44		2.47	80 FT	1345 FT	SCH TR	FORESTRY
ITASCA TOTAL						8.26				
OVERALL TOTAL						62.78	acres			

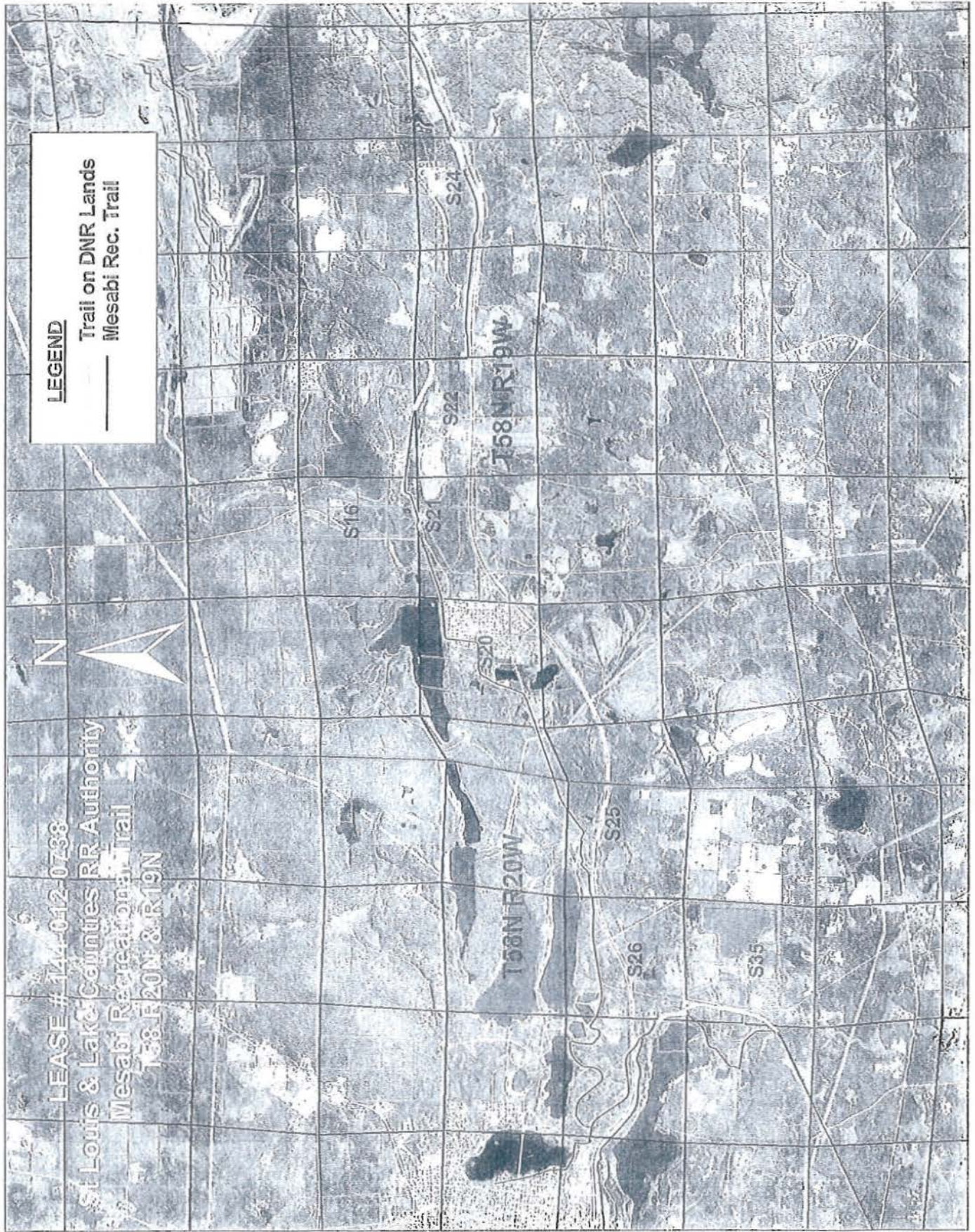


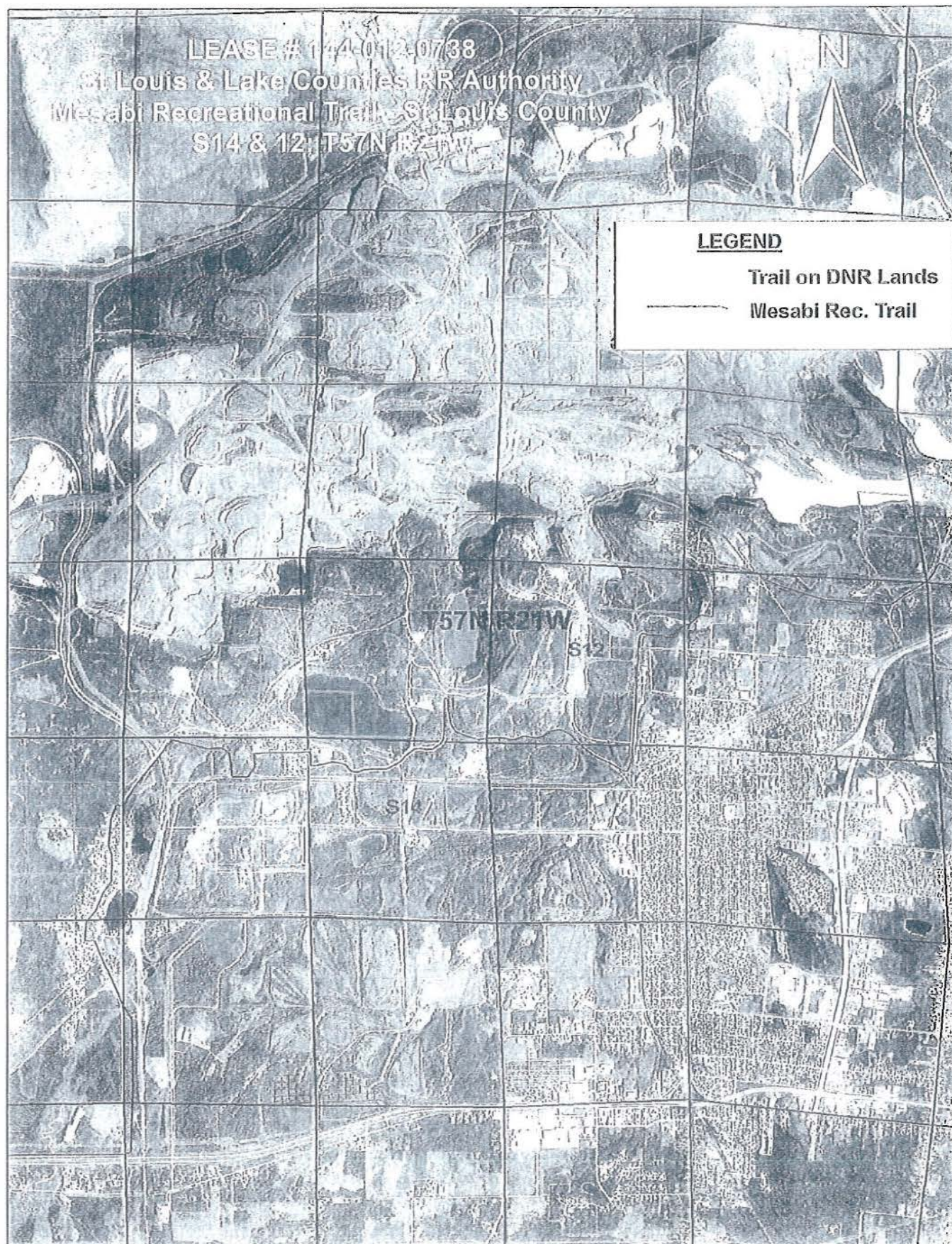
LEGEND

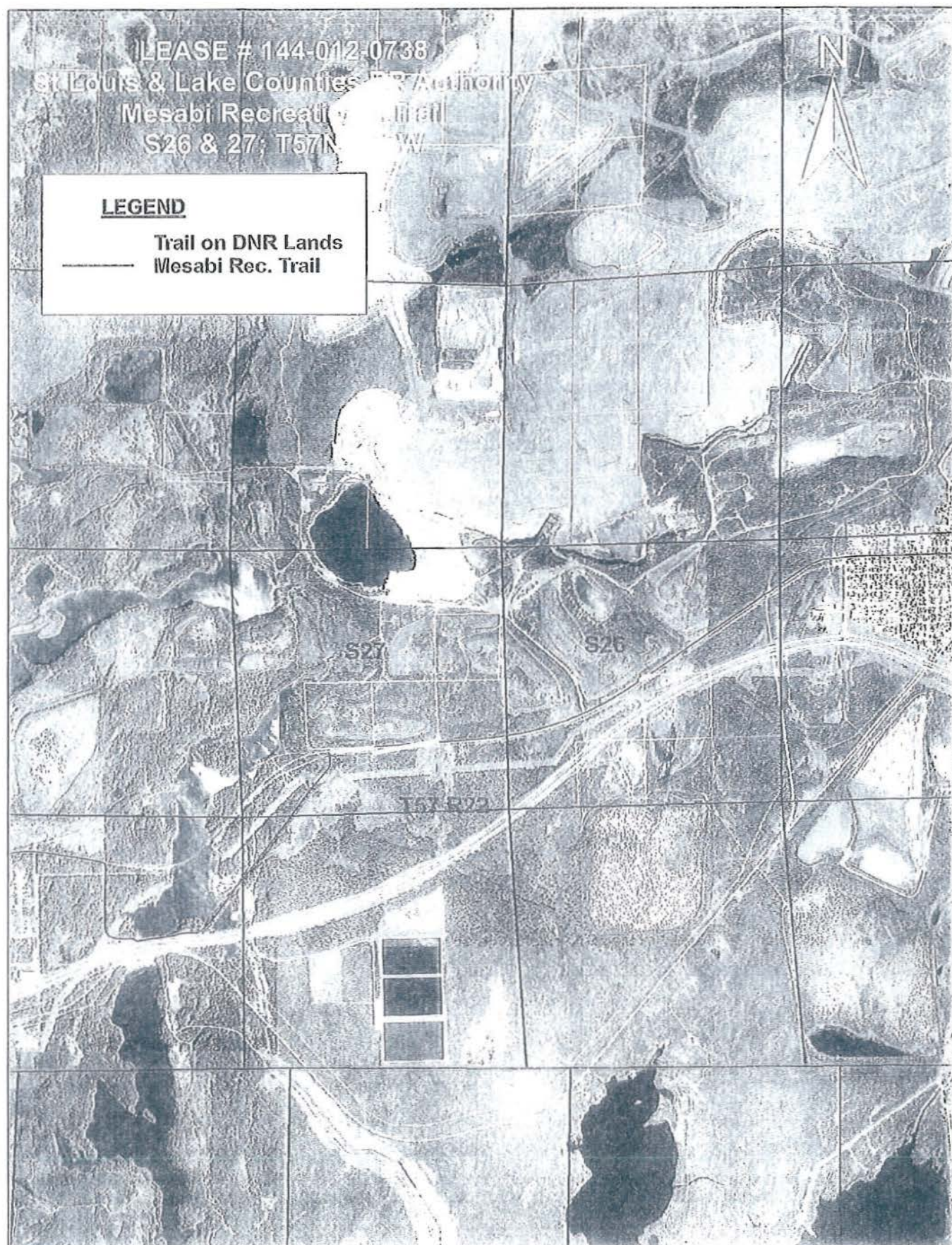
Trail on DNR Lands

Mesabi Rec. Trail









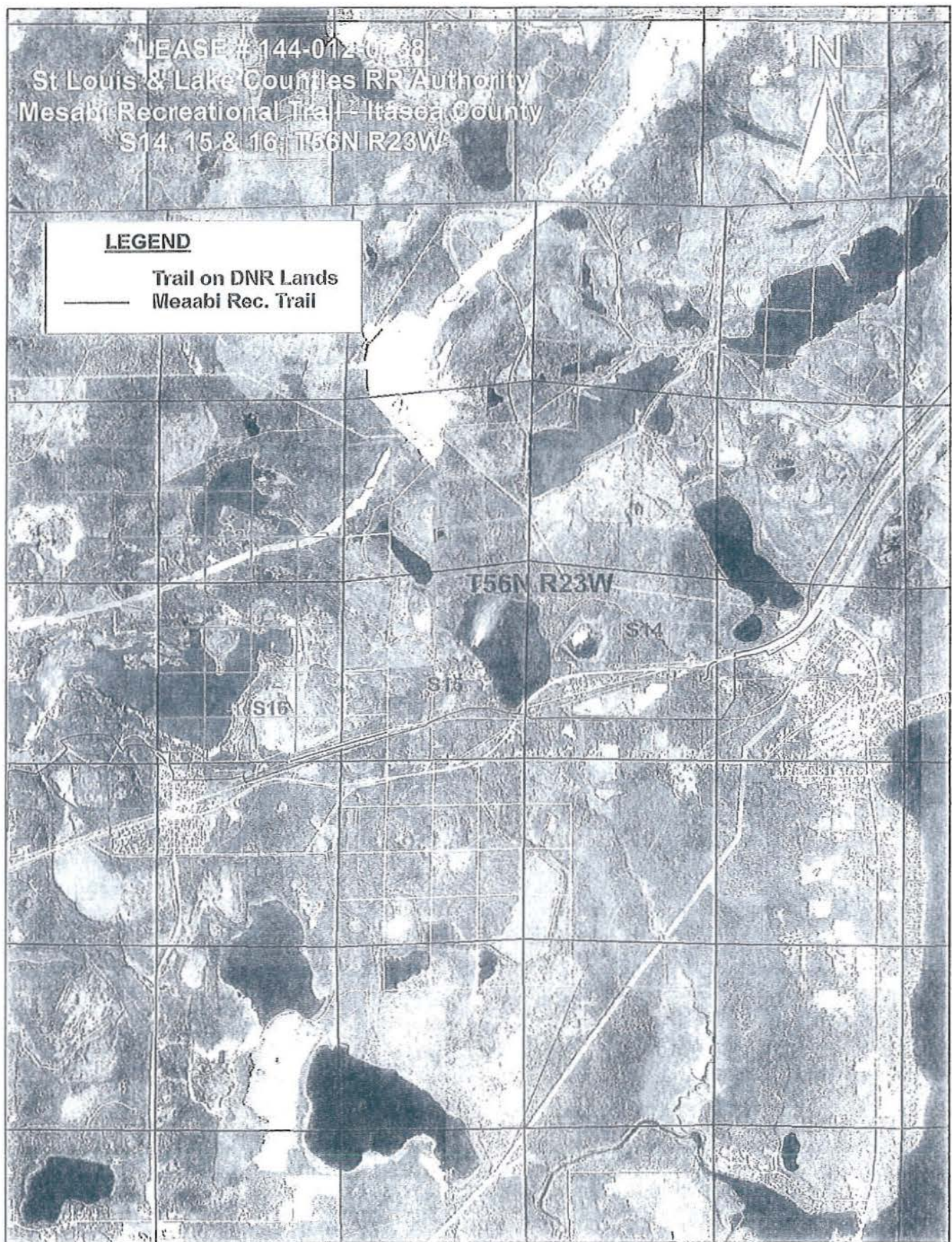


EXHIBIT B

LEASE #144-012-0738

**St Louis & Lake Counties Regional RR Authority
Recreational Trail
Various Locations – St Louis & Itasca Counties**

Additional Terms & Conditions

1. LESSOR reserves the right of ingress and egress over the Premises.
2. This lease grants no rights to the LESSEE to use any materials, including but not limited to stockpiled material, tailings materials, surface overburden, sand, and gravel, from any State lands for trail construction, trail maintenance, or any other trail work. A separate State Lease will be required to use any materials on State land.
3. During the term of this lease, LESSEE agrees that it will erect and maintain fencing or other barriers along the outside perimeter of any inactive excavation, open pit, or shaft, located on or adjacent to the Premises. The fencing or barriers shall meet the requirements of Minnesota Statutes, Section 180.03.
4. The trail shall be for non-motorized recreational use only, except snowmobiles will be allowed on that portion of the trail crossing the following parcels:
 - NE/NW & NW/NW; Section 11, Township 58 North, Range 18 West
 - SW/NE & SE/NE; Section 25, Township 58 North, Range 17 West
 - NE/NW & NW/NW; Section 5, Township 58 North, Range 15 West
 - SW/SW & SE/SW, Section 31, Township 59 North, Range 15 West
5. LESSEE shall procure liability insurance, naming the State as additional insured in the amount of at least \$500,000 per individual and \$1,500,000 per occurrence from an insurance carrier licensed to do business in Minnesota. Upon execution of this lease, the LESSEE shall provide the LESSOR with a certificate of insurance indicating the required coverage and the LESSEE shall periodically provide the LESSOR with evidence of insurance as the LESSOR may request. The policy shall provide that the LESSOR be notified ten days prior to the cancellation or termination of the policy. The LESSEE shall be required to maintain such insurance to the full extent of the amounts specified in Minnesota Statutes, Section 3.736 which amounts shall be incorporated herein by reference. If those amounts are changed following execution of this lease, the LESSEE shall provide whatever amount of insurance is required by that change within 30 days after the LESSOR notifies the LESSEE of the change.

LEASE #144-012-0738
St Louis and Lake Counties Regional RR Authority
Recreational trail
Various Locations - St Louis & Itasca Counties

Exhibit C - Invasive Species

Check all that apply

<input checked="" type="checkbox"/>	Mandatory – (1) Before entering and leaving the site, check clothing, gear, vehicle and equipment and remove caked mud, dirt clods, and reproductive plant parts (seeds, berries, fruit, cones, flowers or seed stalks, and roots). Using either a power washer or an air compressor is an effective means of cleaning equipment, but is not required unless stated below.
<input type="checkbox"/>	(2) This site is infested with <input type="checkbox"/> gypsy moth, <input type="checkbox"/> emerald ash borer, <input type="checkbox"/> Asian long horned beetle, <input type="checkbox"/> other invasive disease or insect _____. Obtain a compliance agreement from USDA APHIS or Minnesota Dept. of Agriculture prior to hauling wood or woody debris off this site. For more information visit http://www.mda.state.mn.us/en/plants/pestmanagement/eab/regulatoryinfo.aspx
<input type="checkbox"/>	(3) This site is infested with <input type="checkbox"/> oak wilt, <input type="checkbox"/> Dutch elm disease, <input type="checkbox"/> sirex wood wasp, <input type="checkbox"/> other invasive plant disease or non-regulated insect _____. <input type="checkbox"/> Girdle the marked trees and leave them on site. <input type="checkbox"/> Do not haul infected trees between April 1 st and Nov 1 st . <input type="checkbox"/> Other _____.
<input type="checkbox"/>	(4a) This site is infested with <input type="checkbox"/> buckthorn, <input type="checkbox"/> garlic mustard, <input type="checkbox"/> other invasive plant, <input type="checkbox"/> exotic earthworms. Before starting work, review known infestations with the site administrator. Avoid traveling through or parking in infested areas. Time operations and organize routes of travel to avoid spreading weed seed or infested soil. If mowing hay, be aware of any chemical applications and honor wait times before mowing. Some herbicides are passed through manure into sensitive crop fields. See other restrictions below.
<input type="checkbox"/>	(4b) This site is infested with <input type="checkbox"/> buckthorn, <input type="checkbox"/> amur or Norway maple, <input type="checkbox"/> peashrub, <input type="checkbox"/> honeysuckle, <input type="checkbox"/> multiflora rose, <input type="checkbox"/> Russian olive, <input type="checkbox"/> other: _____. When cutting: <input type="checkbox"/> chip, <input type="checkbox"/> pile and burn rather than scattering the tops of invasive species.
<input type="checkbox"/>	(5) Using a power washer or air compressor, <input type="checkbox"/> daily, <input type="checkbox"/> weekly, <input type="checkbox"/> monthly; clean all vehicles, equipment and trailers taken on and off site during the snow-free season. Washing may be done at an approved location on site or off site at an appropriate cleaning facility. Avoid letting rinse water run into open bodies of water or native plant communities. Cleaning is not required during frozen conditions.
<input type="checkbox"/>	(6a) All materials (gravel, fill, mulch, chips, sand, etc.) brought to the site are to be weed and pest free. Sources are to be approved prior to purchase or acquisition.
<input type="checkbox"/>	(6b) Before utilizing the underlying gravel or other earth materials, scrape off the top 6-12" and segregate in an on-site location designated by the site administrator.
<input type="checkbox"/>	(7) Plant or reclaim site within: <input type="checkbox"/> one month, <input type="checkbox"/> three months, <input type="checkbox"/> six months of end of lease or project. Use weed and pest free native plant and seed mixes. Where available, use certified or local sources. Sources are to be approved prior to purchase and acquisition.
<input type="checkbox"/>	(8) Upon completion of the project or operation, close, obstruct or gate all access routes. If project is inactive for longer than <input type="checkbox"/> one month, <input type="checkbox"/> three months, <input type="checkbox"/> six months close, obstruct or gate all access routes until project resumes.
<input type="checkbox"/>	When collecting field material (seed, I&D samples, berries, mushrooms, special wood products, etc) use new clean bags or baskets.
<input type="checkbox"/>	In the case invasive plants become an issue during operations (to be determined by the site administrator), the LESSEE agrees to stop operations and gate or otherwise close the site until the infestation can be controlled.
<input type="checkbox"/>	The LESSEE is responsible for controlling noxious weeds on the site. Contact the site administrator and county agricultural inspector for details.
<input type="checkbox"/>	Follow other actions as directed by the site administrator to minimize the introduction and/or spread of invasive species.
<input type="checkbox"/>	Before starting work, review known infestations with site administrator(s). When traveling between multiple sites a day, be sure to start at the site with the fewest number of invasive plants, leaving the most heavily infested site to last. Time operations and site visits to avoid the spread of weed seed.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/07/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Phone (218) 722-7472 Fax 218-722-7896
LISCOMB-HOOD-MASON CO
302 WEST SUPERIOR STREET SUITE 400
DULUTH MN 55802

Agency Lic# 826

CONTACT NAME **Liscomb-Hood-Mason Co**
PHONE (A/C, No, Ext) (218) 722-7472 FAX (A/C, No) 218-722-7896
E-MAIL ADDRESS
PRODUCER CUSTOMER ID 9665

INSURED
ST. LOUIS & LAKE COUNTIES REGIONAL RAILROAD AUTHORITY
111 STATION 44 ROAD
EVELETH MN 55734

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A	NORTHFIELD INSURANCE	27987
INSURER B	Scottsdale Insurance Company	41297
INSURER C		
INSURER D		
INSURER E		
INSURER F		

COVERAGES

CERTIFICATE NUMBER: 43497

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			WS011786	10/11/11	10/11/12	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ EXCLUDED PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						
	GEN'L AGGREGATE LIMIT APPLIES PER:						
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> ANY AUTO						
	<input type="checkbox"/> ALL OWNED AUTOS						
	<input type="checkbox"/> SCHEDULED AUTOS						
	<input type="checkbox"/> HIRED AUTOS						
	<input type="checkbox"/> NON-OWNED AUTOS						
B	UMBRELLA LIAB			XLS0077488	10/11/11	10/11/12	EACH OCCURRENCE \$ 8,000,000 AGGREGATE \$ 8,000,000
	<input checked="" type="checkbox"/> EXCESS LIAB						
	<input type="checkbox"/> DEDUCTIBLE						
	<input type="checkbox"/> RETENTION \$						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS \$ OTH EXP \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT \$ E.L. DISEASE-EA EMPLOYEE \$ E.L. DISEASE-POLICY LIMIT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

HOLDER NAMED ADDITIONAL INSURED REGARDING RECREATIONAL TRAIL @ MINNESOTA IRON RANGE. GENERAL LIABILITY COVERAGE IS SUBJECT TO A \$500 DEDUCTIBLE PER CLAIM.

CERTIFICATE HOLDER

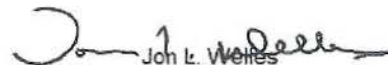
CANCELLATION

STATE OF MN
DEPT OF NATURAL RESOURCES
1201 E HWY 2
GRAND RAPIDS MN 55744

Attention:

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE


John L. Welles

IRON RANGE OFF-HIGHWAY VEHICLE RECREATION AREA

MASTER PLAN AMENDMENT for the VIRGINIA EXPANSION

*Final Draft
January 29, 2010*



*Pursuant to Minnesota Laws 1999
Chapter 231, Section 99, Subdivision 4*

**Division of Parks & Trails
Minnesota Department of Natural Resources**



Minnesota Department of Natural Resources

500 Lafayette Road
St. Paul, Minnesota 55155-40__

January 29, 2010

TO: Iron Range Off-Highway Vehicle Citizen's Advisory Committee
FROM: Mark Holsten, Commissioner
RE: Master Plan Amendment – Final Approval

This amendment to the Master Plan for the Iron Range Off-highway Vehicle Recreation Area (*dated Oct. 26, 1998*) was prepared pursuant to *Minn. Laws 1999, Chap. 231, Sect. 99, Subd. 4* which authorized this 2,704-acre addition to the existing facility located in Gilbert, Minnesota. It contains detailed guidance for the management, development and operations of unique state-operated facility.

I am satisfied that planning and environmental review steps have been satisfied, and that all identified issues have been adequately addressed. Further, I believe that the project design is sensitive to the needs of the people of the Quad Cities Area, and that this facility will prove a welcome addition to the social and economic fabric of the area. I sincerely thank area residents and their elected officials for their patient support and participation throughout this extended planning process.

Pursuant to state law, and the authority vested in me, I hereby approve this amendment to the Master Plan for the Iron Range Off-Highway Vehicle Recreation Area.

A handwritten signature in blue ink, appearing to read "Mark Holsten", is written over a horizontal line.

Mark Holsten, Commissioner

A handwritten date "1-29-10" in blue ink is written over a horizontal line.

Date

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IRON RANGE OFF-HIGHWAY VEHICLE RECREATION AREA

MASTER PLAN AMENDMENT VIRGINIA EXPANSION

EXECUTIVE SUMMARY

About the Project. The Minnesota Department of Natural Resources (MDNR) will develop a 2,704 acre expansion to complement the existing Iron Range Off-highway Vehicle Recreation Area (OHVRA), located at Gilbert, Minnesota. This expansion, which was legislatively authorized in 1999, is located about one-mile north of the existing facility, partially within the City of Virginia, Minnesota (**See Overview Map - next page**). It will be linked to and managed from the existing Gilbert OHVRA facility. Together, the Virginia Expansion and the existing Gilbert Site will total about 3,900 acres.

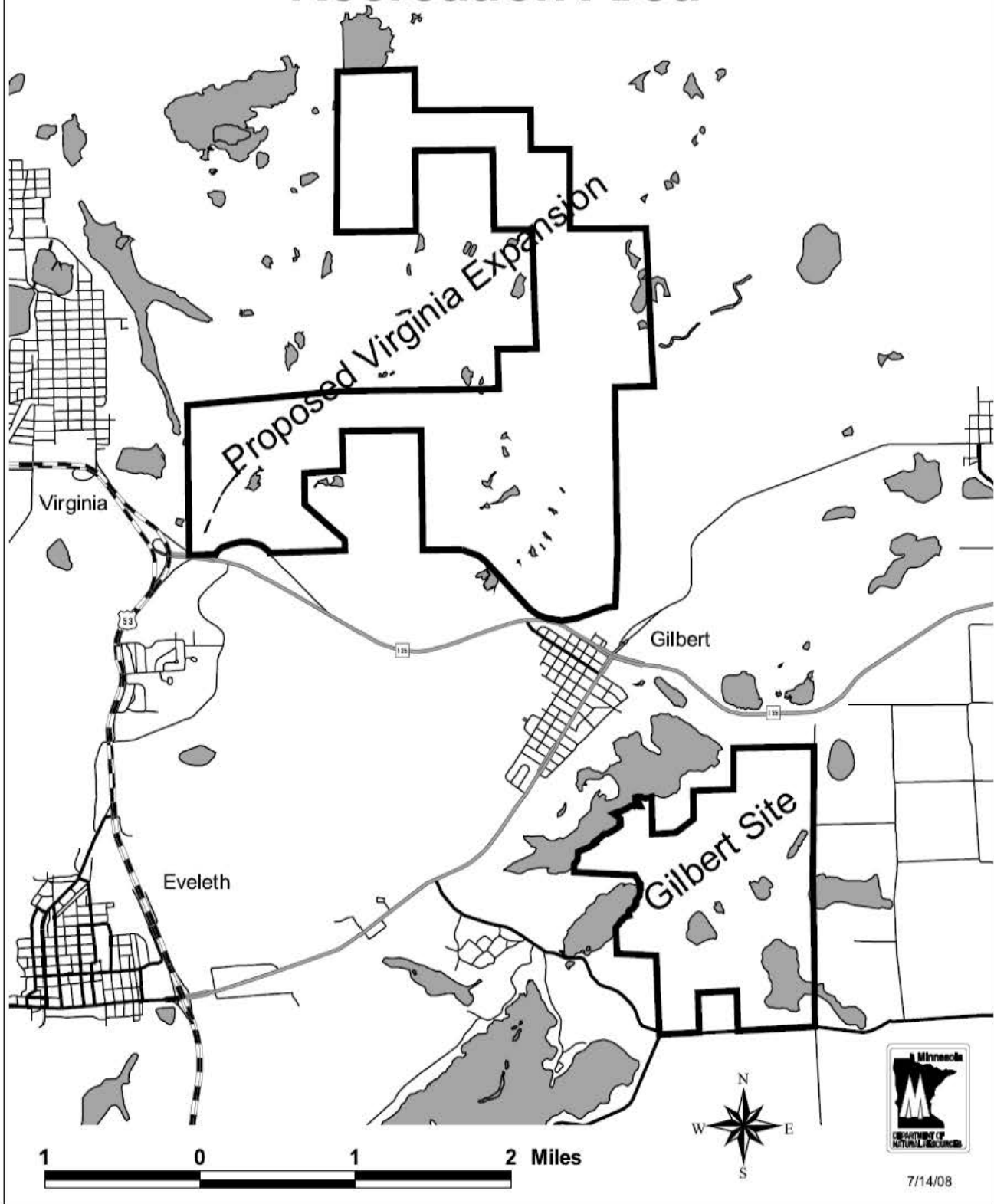
The Virginia site, or project area, will be developed exclusively for trail riding for all classes of Off-highway Vehicles (OHVs)--All-terrain Vehicles (ATVs), Off-highway Motorcycles (OHMs), and Off-road Vehicles (ORVs); ORVs include larger vehicles such as 4x4 trucks and jeeps. When completed, the new road and trail system at Virginia will total approximately 75 miles.

Specifically, this expansion project includes the development of a 75-mile road/trail system, two culvert underpasses and perimeter fencing. Little or no built infrastructure is planned for the Virginia Expansion Site. The sole vehicle entrance into the OHVRA will remain on Enterprise Trail, a gravel road approximately .5 miles east of the TH 37 & 135 intersection in Gilbert. This road enters the OHVRA at Pettit Road on the north side just west of the DM&IR railroad tracks. Just inside the gate is a Contact Station and bridge crossing of the DM&IR dual tracks which serves as the primary entrance point into the newly expanded OHVRA. A planned one-mile connector trail will link the two sites.

Purpose of this Amendment. An EAW, an EIS, and a Master Plan were previously prepared for the Iron Range OHV Recreation Area, Gilbert Site. This Amendment to the original Recreation Area Master Plan (dated 12/31/98) supplements and updates that plan to incorporate management and development guidance specifically applicable to the Virginia Site Expansion. It incorporates the original Master Plan and environmental documents by reference.

Implementation Plans and Construction Schedule. Upon completion of Environment Review, and approval of this Master Plan, this project may proceed with local permitting and construction. After a decade-long delay, funding is finally in-place for facility construction and operations. Construction is expected to take 9-12 months before the site can be opened to public use. Development of the full 75-miles of roads, trails and support facilities, however, may not be completed for 3-5 years thereafter.

Iron Range Off-Highway Vehicle Recreation Area



IRON RANGE

OFF-HIGHWAY VEHICLE RECREATION AREA

MASTER PLAN AMENDMENT

VIRGINIA EXPANSION

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F: PROJECT ENVIRONMENTAL ASSESSMENT WORKSHEET (EAW) dated Nov. 12, 2009. <i>(not attached)</i>	
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IRON RANGE OFF-HIGHWAY VEHICLE RECREATION AREA

MASTER PLAN AMENDMENT VIRGINIA EXPANSION

I. PURPOSE & NEED FOR ACTION

A. BACKGROUND. The Minnesota Department of Natural Resources (MDNR) will develop a 2,704 acre expansion to complement the existing Iron Range Off-highway Vehicle Recreation Area (IROHVRA), located at Gilbert, Minnesota. The expansion site is located one mile north of the existing IROHVRA, partially within the City of Virginia, Minnesota. The Virginia Expansion site will be managed out of the existing facility, which will be linked to the expansion area by a connector road. This proposed expansion includes the development of the connector road, a core trail system, vehicle specified trails, and perimeter fencing.

The proposed Virginia Off-highway Vehicle Recreation Area (OHVRA), hereafter referred to as the Virginia Expansion site, Virginia site, or project area, is located in two cities--partially on the eastern limits of the City of Virginia and partially on the northern limits of the City of Gilbert (**Figures 1 & 3 – Appendix D**). The site will be developed for trail riding for all classes of Off-highway Vehicles (OHVs)--All-terrain Vehicles (ATVs), Off-highway Motorcycles (OHMs), and Off-road Vehicles (ORVs); ORVs are the class of larger sized vehicles that includes 4x4 trucks and jeeps. When completed, the road and trail system would run a distance of approximately 75 miles. The 2,704 acre-Virginia Expansion site will be connected to the existing 1,200 acre-Gilbert OHVRA by a connector trail that will serve as its only public access. Together, the Virginia Expansion and the existing Gilbert Site will total about 3,900 acres.

B. PROJECT PURPOSE, SCOPE & CONTEXT. This 2,704-acre addition to the Iron Range OHV Recreation Area (OHVRA) was legislatively authorized in 1999 (*Minnesota Session Laws, 1999, Chapter 231, Sect. 99, Subd. 4*). The addition was intended to complement off-road riding opportunities already available at Gilbert, making the OHVRA a viable long-distance destination and an attractive, challenging recreation experience for trail riders. The OHVRA, which has been operating at Gilbert since 2002, was always intended to include sufficient acreage and trail riding opportunity to attract riders from across the state and nation. The Virginia Expansion project will help achieve this vision. With nearly 300,000 registered OHVs in Minnesota, OHV riders are a fast-growing constituency.

Project beneficiaries include those that already visit the Gilbert Site (*about 10,000/yr*), and the projected 5,000 additional visitors expected annually following the park's expansion. When completed, the entire facility will be open to all types of All-Terrain Vehicles (ATVs), Off-Highway Motorcycles (OHMs), and Off-Road Vehicles (ORVs). This activity is expected to generate up to \$300,000 annually in added economic stimulus for area businesses. Since the Gilbert facility opened in 2002, initial visitor and economic projections have proven accurate and substantial development and new economic activity have occurred in the City of Gilbert.

C. PLANNING GOALS & OBJECTIVES.

1. **Land Use/Facility Development Goal:** *"Provide diverse and challenging opportunities for off-highway vehicle enthusiasts in a socially and environmentally responsible manner."*

Objectives:

- a) Expand and complement the Iron Range OHVRA per *MS Chap. 85.013, Subd. 12a*.
- b) Provide off-road recreational trails and use areas for Off-Highway Motorcycles (OHMs), All-Terrain Vehicles (ATVs) and Off-Road Vehicles (ORVs).
- c) Design, develop, construct and maintain facilities in an environmentally sensitive manner.
- d) Provide for rider training and practice riding, vehicle testing, and organized special events.
- e) Identify those portions of the site best suited to motorized use and development, and those areas better suited for non-motorized uses (*e.g., picnic and rest areas, scenic overlooks, commons areas, walking trails or interpretive sites*).
- f) Comply with all federal, state and local standards for air and water quality, noise, land-use and environmental protection.

2. **Natural/Cultural Resources Goal:** *"Conserve and protect sensitive natural and cultural resources."*

Objectives:

- a) Identify sensitive or high-value natural and cultural resources. Implement strategies to manage, protect, and if appropriate, to interpret these resources.
- b) Avoid, minimize and/or mitigate unavoidable impacts to natural resources.
- c) Apply Best Management Practices (*BMP's*) to create sustainable trails, while protecting and improving water quality, wetlands, wildlife habitat, scenic and visual resources.

3. **Public Safety/Enforcement Goal:** *"Provide for a safe and enjoyable OHV recreation experience."*

Objectives:

- a) Identify public safety, enforcement and emergency services needs and associated budget requirements.
- b) Identify potential public safety and legal liability risks and implement methods of reducing and managing these risks.
- c) Minimize potential traffic hazards associated with access or use of the Iron Range OHVRA.
- d) Provide informational, cautionary and directional road/trail signing to clearly identify permitted uses, designated skill levels, and other limitations or restrictions.
- e) Strictly enforce rules and regulations relating to safe vehicular operation, permitted noise levels, private property trespass, and other State Recreation Area rules and regulations.

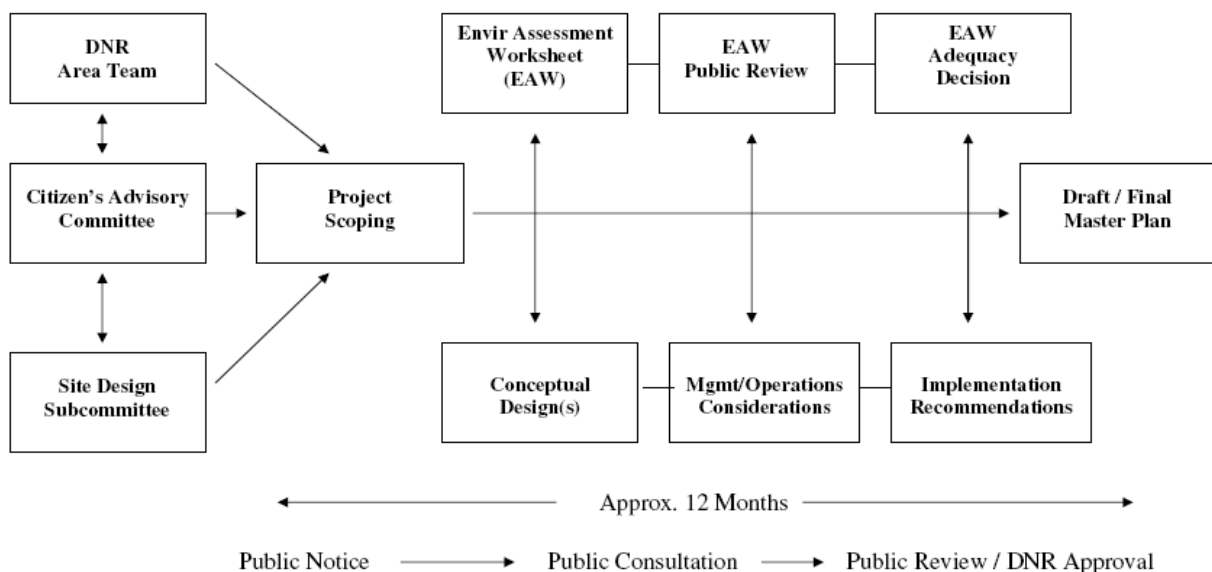
D. PLANNING PROCESS & PUBLIC PARTICIPATION. An EAW, an EIS, and a Master Plan (*citation below*), were all previously completed for the Iron Range OHV Recreation Area at Gilbert. This amendment is intended to supplement the facility's original Master Plan by providing management and development guidance specifically applicable to the Virginia Expansion Site. The original Master Plan may be cited as follows:

State of Minnesota, Dept of Natural Resources, 1998. "Iron Range OHV Recreation Area: Facility Design, Development and Management Plan". Master Plan prepared pursuant to Minn. Laws 1996, Chapter 407 and MN Stat. Chapt. 86A.05. St. Paul, MN 55155. 142 Pages plus attachments.

Planning for the Virginia Expansion began immediately following legislative authorization of this site in 1999. The Site Design Sub-Committee spearheaded the development of conceptual site use plans which were subsequently reviewed and approved by both the DNR Technical Team, and by the 16-member Local Area (Citizen's) Advisory Committee (LAAC). Advisory Committee meetings were duly noticed and open to the public. *[See Appendix C for a chronological list of public meeting dates.]*



Iron Range OHV Recreation Area Planning Process – Virginia Site



Source: MN DNR, Trails & Waterways, June 2008.

After a promising start, planning ground to a halt in late 2000 due to mining concerns stemming from the discovery of economically viable mineral deposits within the boundaries of the authorized expansion area. After a 10-year hiatus, and several legislative boundary changes to the authorized parcel, planning began again in February 2008. Following public approval of the Conceptual Site Design in early 2009, this proposal was subjected to mandatory Environmental Review. In late 2009, a Environmental Assessment Worksheet (EAW) was prepared and publicly reviewed. The EAW was subsequently deemed adequate by MN DNR (the Responsible Governmental Unit). *[See Appendix E for the Project EAW, and Appendix F for the EAW Adequacy Decision Document – not attached].*

Implementation Plans and Construction Schedule. Upon completion of Environment Review, and approval of this Master Plan, this project may proceed with local permitting and construction. After a decade-long delay, funding is in-place and earmarked for facility construction. Construction is expected to take 9-12 months before the site can be opened for public use. Development of the full 75-miles of roads, trails and support facilities may not be completed for 3-5 years thereafter.

II. AFFECTED ENVIRONMENT

A. SOCIAL & ECONOMIC SETTING.

Mining History. Despite years of trying to diversify, the economy of Northeastern Minnesota is still dependent upon its vast natural resources. More than one-half of the region's economic output is tied to just nine industries dominated by iron mining, wood and paper production. While the regional economy still relies heavily on timber and taconite, total employment has shifted somewhat towards service sector jobs. And, while the mills and mines aren't hiring as many people as they once did, payroll, fuel, taxes and ore production remain at or above historical levels.

The region today contains many active and inactive open-pit mines, underground mines, ore stockpiles, tailings basins, and many small mining towns. About 152 square miles of land in total have been disturbed by mining on the state's Mesabi Iron Range. It currently supplies two-thirds of the iron ore used to make steel in the United States. A total of 3.5 billion tons of natural ore, in total, have been mined from the Mesabi Range. About 15 million tons of ore were removed from mines located on or adjacent to the OHVRA site. Mining continues to dominate regional income and full-time employment, and plays a significant role in determining population and settlement patterns, work routines, and in defining community identity.

Quad Cities. The so-called 'Quad Cities' of Gilbert, Virginia, Mountain Iron and Eveleth owe their origins to the discovery of iron ore, and their growth to eastern capital and immigrant labor. **Mountain Iron** traces its origins to the discovery of iron in 1890 at the famous Mountain Iron Mine. Although a great ore producer, the mine closed in 1908 due to water seepage, and it was succeeded by several smaller mining operations. In 1942, the mine reopened and subsequently produced millions of tons of ore for the war effort. Depleted, it closed for good in 1956 and was placed on the National Register of Historic Places. Today, Mountain Iron is home to the giant Minntac Plant, the largest taconite producer in Minnesota.

Ore was discovered in the **Virginia Area** in 1892. By year's end, Virginia was an organized village connected by rail to surrounding communities. Destroyed by fire in 1893, the town was rebuilt and reorganized as a city only to be partially burned again in 1900. Supported by lumbering and mining, the town grew in size and importance and became known regionally as the "Queen City of the Mesabi Range". In 1997, its main street, Chestnut Street, was placed on the National Register of Historic Places as a 'Historic Commercial District'.

Although iron ore was discovered at **Eveleth** in 1892, the town was not incorporated until 1893. In 1895, ore was discovered beneath the town and it had to be moved. A new site, platted to the east, was established and by 1900 the town of 1,500 was moved a quarter mile uphill where it stands today.

Gilbert is the youngest of the Quad Cities. Its roots can be traced to Sparta, a mining community platted in 1896 on a rolling hillside sloping gently to Ely Lake. Sparta grew to 1,000 residents, but having been platted over a rich ore body it was sold to a mining company. In 1908, most of the buildings were moved to the present-day Gilbert site, a new townsite incorporated on 2,240 acres of both platted and unsettled territory. In 1909, the village, which described itself as the "City of Destiny", was re-incorporated - this time including only 143 acres within its boundaries.

B. NATURAL RESOURCE ELEMENTS.

Topography. Regional topography is primarily the result of mining activity. Much of this site is defined by mine pits, dumps, tailings basins and ore piles. Unmined areas are characterized by gently rolling hills separated by small stream valleys. The land surface slopes gently towards the southeast. The small east-west trending knob on the property is surrounded by wetlands. The marsh on the south side of the knob is an intermittent stream and tributary of the Pike River. The Mesabi Trail, which was built on a former railroad grade, runs along the south project boundary and parallels another small ridge line.

Landscape Characteristics. This project is located within the Nashwauk Uplands subsection of the Mixed Laurentian Forest Province that extends across northeastern Minnesota and eastward across the Great Lakes Region. The landscape ranges from rugged lake-dotted terrain with thin glacial deposits over bedrock to hummocky or undulating plains with deep glacial drift, to large, flat poorly drained peat lands. Landforms include end moraines, outwash plains and lake plains. Soils are varied and range from medium to coarse in texture. Forest communities are dominated by white pine, red pine, balsam fir, white spruce and aspen-birch. Forestry, mining and outdoor recreation are all very important land uses in the Nashwauk Uplands subsection.

Soils. The soils in the Virginia Expansion site are defined into two general groups; those in a relatively undisturbed state and those altered by iron mining activities. Soils data compiled by the Natural Resource Conservation Service (NRCS) of Northern St. Louis County was used to prepare the Soil Survey Map (**Figure 5 – Soils Map**). Each soil map unit consists of one or more different soil types. A soil type is defined by dominant soil characteristics such as texture, color, structure, and parent material. There are 29 soil map units delineated in the project area (Table 4).

The native soils, about seventy percent of the project area, are light-colored, well-drained cobbly and stony loam to sandy loam. Typically, eight to fourteen inches of loamy surface materials (loam or silt loam textures) cover clayey substrates. Nearly one-half of the project area is well drained, one-third is poorly drained, and the rest, including mine dumps and pits, is mixed and variable.

Open pit iron ore mining operations south of the Laurentian Divide involved the excavation and disposal of glacial overburden. Approximately thirty percent of the project area consists of mine 'pits', 'dumps' and 'tailings,' which are composed of an assortment of overburden piles, low-grade and reject ore piles, and other waste rock. Overburden dumps are located in Sections 10 and Section 3, north and east of the divide. The 'mine dumps' are relatively flat-topped linear embankments dumped there by rail cars. These embankments, composed of primarily silt, clay and sand, form dike-like structures from 20 to 80 feet thick across the natural land surface.

Vegetative Cover Types. The Virginia site contains both mined land and natural landscapes which contain a variety of vegetation types ranging from lowland grass and brush to mature stands of aspen, pine and upland hardwoods (**Table 1 and Figure 4 – Vegetative Cover Type Map**). Stands of upland shrub and aspen-birch cover over fifty-six percent of the project area. Lowland or wetland vegetative types cover an additional nineteen percent of the project area. Fourteen percent of the site is composed of upland deciduous stands, grasslands, or coniferous stands, including jack pine-red pine cover. The remaining portion is classified as a disturbance category containing roads, trails, and mine lands.

Table 1. Vegetative Cover Types – Virginia OHV Recreation Area. (MDNR, Parks & Trails, 2009)

COVER TYPE	ACRES	PERCENT
Aspen/ White Birch	1,034	38
Black Spruce / Tamarack / Balsam Fir / White Cedar	134	6
Black Ash / Lowland Deciduous / Deciduous Shrub	315	12
Broadleaf Sedge / Cattail / Sedge Meadow	16	1
Floating Aquatic	10	<1
Grassland	87	3
Jack Pine / Red Pine	169	6
Maple / Basswood	52	2
Upland Conifer / Deciduous Mix	27	1
Upland Deciduous	48	2
Upland Shrub	493	18
Other (e.g., roads, trails, mine dumps)	255	9
Water	64	2
TOTAL	2,704	100%

Wetlands. The USGS topographic map (**Figure 2 – USGS Topo**) provides a general perspective on the location and extent of wetlands found in the project area. Wetlands occupy fourteen percent of the project area (385 ac.). Hydric soil delineations and hydric/non-hydric soil complexes cover about 640 acres or 24% of the site (**Figure 5 – Soils Map**). Lowland or wetland vegetative cover types are estimated to cover nineteen percent of the project area (Table 1). The following wetland types were identified using the NWI maps, large-scale aerial photography, and topographical maps.

Table 2. Wetland Cover, Iron Range OHV Recreation Area - Virginia Expansion (NWI Map, 2009).

Type	Name and Description
Type 3: 39.9 ac	Shallow Marsh Emergent vegetation of forbs and grasses; soils usually are waterlogged early during growing season but often are dry later on.
Type 4 20.7 ac.	Deep Marsh Emergent vegetation forms in basins or on lake or river edges, where water remains from six inches to three feet deep during the growing season
Type 5 10.7 ac	Open Water Ponds & reservoirs less than 10 feet deep, often fringed with emergent vegetation
Type 6 213.0 ac	Shrub Swamp (Scrub/Shrub) Shrubs are the dominant form of vegetation; soil are usually flooded or waterlogged during growing season
Type 7 100.7 ac	Wooded Swamps Forest vegetation; flats or basins where soils are flooded or waterlogged during the growing season.

Watersheds. The Laurentian Watershed Divide crosses the project area and forms the boundary of two major drainage systems, Hudson Bay and Lake Superior. The Pike River watershed that is part of the Hudson Bay watershed is located on the east side of the divide and the East Two Rivers River watershed that is part of the Lake Superior watershed is on the west side. The Pike River watershed constitutes about forty percent of the watershed of Lake Vermilion. The west and parts of both the south and north sides of the project site have been impacted by mining. The eastern portion of the site features steep topography with relief up to 150-feet, is naturally vegetated, and remains as a relatively undisturbed woodland and wetland complex.

The eastern portion of the project area forms part of the headwaters of the Pike River. The Pike River and two unnamed tributaries are classified as MDNR Protected Waters. The Pike River begins in the eastern ½ of Sec. 22, T58N, R17W just south of the project site. It enters the project area in the northwest corner of Sec. 23 and continues through the center of Sec. 14 and the southeast corner of Sec.11 before exiting along the eastern boundary of the project area (see **Figure 2 – Quad Map**).

One unnamed tributary to the Pike River, a classified protected waters, flows from southwest to east, then to about the center of Sec.14 of T58N, R17W and its confluence with Pike River. The other unnamed classified protected waters tributary flows from north to south along the east section line of Sec. 11 to its confluence with Pike River. There are three other unnamed tributaries to Pike River that are not classified as protected, however they do flow into the unnamed protected tributaries described above. All of these Pike River tributaries are shown on the U.S.G.S. topographic quad map (**Figure 2 – USGS Topo Map**).

The Pike River is a warmwater stream that flows through wetlands and has bottom substrates predominantly composed of muddy or organic sediments interspersed with rock and in-stream vegetation. Overhanging vegetation and wetland shrubs dominate the riparian areas. The water flowing from wetlands carries natural tannins, giving the Pike River a tea-colored stain.

The western portion of the project area flows westward into the mine pits (Mesabi Mountain Pit Pond), then southward into the East Two Rivers River, a tributary of the St. Louis River and the Lake Superior watershed. A small portion of the area's watershed drains via ditches either south and around Virginia into a tributary of Manganika Lake (DNR #69-0726P) or westward through Virginia and into Silver Creek, a tributary of the East Two Rivers River.

There are no public water lakes in the project area. There are several small, unnamed open water basins that occur mostly at the edge or toe of stockpiles from previous mining activity. Many of these ponds have likely been created or otherwise influenced by mining activity.

Fisheries & Wildlife Resources. This project involves potential trail crossings of both the Pike River and two unnamed tributaries, which are state public waters regulated by the MDNR. MDNR's Division of Waters and Section of Fisheries have been consulted regarding appropriate impact avoidance measures needed to reduce potential stream crossing impacts. Specific riparian area protections are outlined in the sections that follow. Fish species identified during sampling (2003) of the Pike and Sandy Rivers are shown in Table 2.

Table 3. Fish Species of the Pike and Sandy Rivers, Summer 2003. (*Fond du Lac Resource Management and 1854 Authority Report, 2003*).

Family	Common Name	Scientific Name
Cyprinidae	Longnose Dace	<i>Rhinichthys cataractae</i>
	Blacknose Dace	<i>Rhinichthys atratulus</i>
	Finescale Dace	<i>Chrosomus neogaeus</i>
	Creek Chub	<i>Semotilus atriculatus</i>
	Spottail Shiner	<i>Notropis hudsonius</i>
Centrarchidae	Rock Bass	<i>Ambloplites rupestris</i>
Percidae	Johnny Darter	<i>Etheostoma nigrum</i>
	Yellow Perch	<i>Perca flavescens</i>
	Walleye	<i>Sander vitreus</i>
Catostomidae	White Sucker	<i>Catostomus commersoni</i>
Esocidae	Northern Pike	<i>Esox lucius</i>
Umbridae	Mudminnow	<i>Umbra limi</i>
Gadidae	Burbot	<i>Lota lota</i>

Wildlife species likely to inhabit the site are those found in similar upland habitats and forested wetlands throughout northeast Minnesota. A listing of representative species found on these habitats include the following: snowshoe hare, red squirrel, beaver, porcupine, grey wolf, red fox, black bear, fisher, bobcat, and white-tailed deer. Most of the area's inhabitants are tolerant of disturbance.

Mining History. This site lies over a portion of the Biwabik Iron Formation, geologically referred to as the 'Virginia Horn'. The western one-third of the area has an extensive mining history, including both underground and open pit mines. Mining of natural ores began in 1893 and continued until 1976 at the Minnewas Mine, which was located in the southwestern portion of the Virginia site. The nearby Rouchleau Annex was subsequently mined until 1986. As a result, the western part of the Virginia site is composed of 'auxiliary mining lands,' which contain surface waste rock dumps and lean ore stockpiles. The eastern part of the site is relatively unaffected by mining or other developments.

See also Figs 3 & 8, Appendix D

The site is bordered on the west by the Missabe Mountain, Minnewas, Sauntry and Rouchleau open mine pit operations. The St. Louis County Maintenance Facility and State Highway 135 is located south of the Virginia site. The Ispat Inland Mining Company's main haul road leading to the (active) Laurentian Mine is near the eastern border of the site. Ispat Inland's Minorca Pit and taconite pelletizing plant is north of the site. The Mine's haul road and pelletizing plant are operated continuously throughout the year. The park's connector road/trail will travel under this haul road.

Landscape Effects. Open pit mining operations south of the Laurentian Divide resulted in the removal and disposal of large quantities of overburden and waste rock. This overburden consists of glacial materials excavated by 'steam-shovel' methods from above the iron-bearing deposits of the Rouchleau, Missabe Mountain and Sauntry Mine operations beginning in the early 1920's.

Materials transported by rail to the other side of the divide were dumped from open rail cars in Sections 3, 10 and 15 of Township 58N Range 17W. This produced linear embankments of imported glacial material. The initial placement of the linear piles were placed side-by-side across the original topographic surface, in a southwest-to-northeast direction. Subsequent layers of material were dumped in linear embankments tending east to west in the east half of Section 3 and northwest to southeast in the northeast corner of Section 10. Rail cars entered the disposal area from the northwest corner of Section 10. At least three additional levels of overburden were deposited atop the original dump materials.

Overburden material was primarily dumped in Sections 3 and 10. Waste rock that covered the ore formations consisted of a mix of glacial sediments and Upper Cretaceous age siltstones. It was dumped primarily in Section 15, although some was also dumped in Section 10. The eastern portion of the Virginia site are mineral reserve lands on an unaltered landscape that includes a portion of the Pike River headwaters, two tributaries, wetlands and forested uplands.

Future Mining Prospects. Despite its mining history, this site still contains significant taconite reserves. As stipulated in authorizing legislation, mining can occur in conjunction with this planned recreational development. Consequently, very little built infrastructure is proposed for this site. The taconite reserves will remain available for future mining without encumbrance from the newly expanded OHVRA or related developments. Any future decision to mine the so-called 'East Virginia Reserves' will depend upon a variety of factors, including taconite prices, pellet supply and demand, business plans, land and mineral ownership, water quality issues, and other variables.

C. LAND-USE ELEMENT.

1. Current Conditions. The western portions of the Virginia Expansion feature inactive mines that consist mainly of re-vegetated mine dumps or waste rock stockpiles. The northwest portion of the site is an active gravel mine that will eventually be reclaimed as part of the Virginia OHVRA (**Fig. 3, Detail Map**). The eastern portion of the Virginia site are mineral reserve lands on an unaltered landscape that includes part of the upper Pike River watershed, associated wetlands, and forested uplands. The planned connector trail begins at the northeast corner of the existing Gilbert OHVRA where it joins an existing OHV trail on the south side of State Highway 135.

Solid Waste Facilities. In the center of the Virginia Site lies a sizable exclusion area in Sections 3, 10, and 11. This area serves as St. Louis County's Regional Landfill and recycling facility. A paved haul road connects this 920-acre facility with State Highway 135 near the southwest corner of the expansion site. The southwest portion of Sec. 15 was excluded from the project area due to its use as a former Mesabi Regional Landfill Authority dumpsite, which has been sealed and is presently monitored by MPCA through a series of test wells. Discussions are underway with MPCA to allow for some limited OHV use of approximately 150 acres adjacent to this former dumpsite in the west half of Section 15. Usage of this and other areas peripheral to the dump site and proximal to the site boundary will be investigated for possible future use and/or incorporation into the OHVRA.

Other. Four non-industrial private properties totaling 90-acres are located within the site's statutory boundary. All are seasonal recreational properties; only two have buildings. Screening and fencing will be provided, where necessary to ensure that trespass or disturbance to these private property

owners is avoided. The MDNR is unaware of any liquid or natural gas pipelines, or any other potential environmental hazards, located within the primary project area (**Fig. 3 – Detail Map**).

The MDNR will manage this area within the administrative and policy constructs established in state law and rule. State Recreation Areas (SRA's), like the OHVRA, are actively managed to provide a range of goods and services, and can host a mix of commercial, industrial and resource management activities, including timber harvest, mining, tree planting, and both motorized and non-motorized forms of outdoor recreation. Recreational vehicle use of this site is generally compatible with surrounding commercial, seasonal recreational, and industrial land-uses.

2. Scenic & Aesthetic Features. This landscape has been dramatically altered by the extraction of iron ore and the creation of man-made lakes, ore stockpiles, overburden piles, tailings basins and impoundments. Vegetation in mined areas was also removed, but has largely re-established itself with the aid of reclamation efforts. Visual scars are beginning to heal, except in the areas where active mining or commercial gravel operations continues. The OHVRA does not lie within a scenic travel corridor, nor are there any designated byways or viewsheds requiring special protection. High stockpiles and dumps (some up to 125 feet tall) are visible for some distance, however, and do warrant special consideration.

Overlook areas will be developed in the project area to complement the core trail system and individual trail networks. The overlook areas will take advantage of the impressive views from the top of 125'+ tall mine dumps. Scenic vistas and overlooks will be set-back a safe distance from overlooks to ensure visitor safety. They will also be visually unobtrusive from the surrounding area.

3. Recreational Opportunity. St. Louis County is home to 5 State Parks (9,839 acres), 7 SNAs (7,918 acres), and 16 WMAs (6,606 acres). These DNR Units are generally closed to motorized recreational use. In addition, about 325,234 acres of the 1,096,187 acre federal BWCAW are located in St. Louis County. The BWCAW also includes 31,284 acres of DNR forest lands in St. Louis County, including all or portions of the Burntside, Bear Island, Kabetogama and Lake Jeanette State Forests. All state and federally-owned lands within the BWCAW are closed to motor vehicle use. Cross-country OHV travel on both state and federal lands is also prohibited, except on state lands pursuant to *MS Chapt. 84.926 (i.e., seasonal hunter / trapper exceptions)*.

State Forests, and the 539,067 acres of US Forest Service administered lands outside the BWCAW in St. Louis County do provide a number of miles of roads and trails open to OHV use. Vehicular trails and travel routes on state lands are mapped and available at www.mndnr.gov. A number of state-funded grant-in-aid routes and other trails are described below. On federal lands, motor routes are mapped on the Superior National Forest's website at <http://www.fs.fed.us/r9/forests/superior/>.

The Moose GIA Trail is a planned seven-mile ATV/Off-Highway Motorcycle (OHM) Trail that will connect the City of Biwabik to the Iron Range OHVRA at Gilbert. The trail, currently under construction, is being developed primarily along an existing snowmobile trail corridor. The trail was originally constructed by the East Range ATV/Snowmobile Club with a grant from Iron Range Resources. It first opened during the 2004-05 winter season. This same club has initiated efforts to open the corridor to use by ATV riders during the snow-free season (**Fig. 8 – Trails In Project Area**). The Moose Trail's proximity to the OHVRA will enable DNR Staff to easily and routinely monitor trail use and trail conditions. Eventually it will provide riders with a connection to the OHVRA, to area

lodging, camping and support services located nearby. This legal access should also discourage private property trespass and reduce ditch riding in the vicinity of the OHVRA.

Mesabi Mountain GIA Trail entails development of a 4.1-mile trail designed for use by registered Off-Road Vehicles (ORVs) only. This jeep trail will begin just east of the Mesabi Range Community and Technical College in Eveleth and travel northeast for the four-mile distance through public and private lands (**Fig. 8 – Trails In Project Area**). The difficult terrain and ledge-rock provides an opportunity to create a challenging ORV trail rated “most-difficult” for experienced drivers. This two-directional trail (not a loop) will provide OHVRA visitors with added local riding opportunity.

Genoa ATV / OHM Trail provides a direct connection from the City of Eveleth to the City of Gilbert, starting at the Highway 53 and Highway 37 intersection in Eveleth and ending at the Sherwood Forest Campground in Gilbert. It is a gravel-surfaced trail approximately 3.5 miles in length open only to ATVs and OHMs. Since 2005, it has provided a vital off-road link between the Iron Range OHVRA and hotels and restaurants in the City of Eveleth (**Fig. 8 – Trails In Project Area**).

The Mesabi Trail is a paved hike/bike (non-motorized) trail that connects the communities of Grand Rapids, Coleraine, Bovey, Taconite, Marble through Calumet and Pengilly, Nashwauk, Keewatin, Hibbing, Chisholm, Buhl, Kinney, Mountain Iron, Virginia, Gilbert, Sparta, Fayal, Eveleth and McKinley. Construction continues with paving of a 3.5 mile link between McKinley and Biwabik during the summer of 2009. The Mesabi Trail winds through both the Gilbert and Virginia portions of the Iron Range OHV Recreation Area.

4. Transportation Systems. The City of Gilbert is located in central St. Louis County on TH 37 just east of State Highway 53 and Eveleth, Minnesota (**Fig. 1 – Location Map**). Gilbert is served by major arterials TH 37 (N-S) and TH 135 (E-W) which meet at the north end of town. The Gilbert portion of the OHVRA lies entirely within the Gilbert City Limits just across Lake Ore-be-gone. The OHVRA (at Gilbert) is bordered on the south by County State Aid Highway (CSAH) 97 and on the east by the Gilbert-Fayal Township dividing line, which also defines the Gilbert City Limits. Chestnut Street is a north-south gravel road just 1/2 mile inside of Fayal Township.

OHVRA Access Road

The only public entrance into the OHVRA is on Enterprise Trail, a gravel road approximately .5 miles east of the TH 37 & 135 intersection in Gilbert. This route, which is shared with Mesabi Bituminous Co., accesses the OHVRA at Pettit Road on the north side just west of the DM&IR railroad tracks. Enterprise Trail is also used by area residents who hunt, fish and ride OHV trails along the east side of Lake Ore-be-gone. Once inside the gates of the OHVRA, there is a Contact Station and bridge crossing of the DM&IR dual tracks which serves as the primary entrance point (*for both Gilbert and Virginia*). A rear gate on Chestnut Street is open only to official vehicles, and may be used as an emergency vehicle access.

An off-road trail along Dakota Avenue connects the OHVRA entrance with the Sherwood Forest Campground in City of Gilbert. This trail is signed and maintained by DNR in cooperation with the City of Gilbert. This important recreational vehicle trail also links to the Genoa ATV/OHM Trail which provides a direct (off-road) connection between Eveleth and Gilbert.

Existing Traffic Volumes

TH 37 is the principal arterial serving urbanized Gilbert. The Average Daily Traffic count (or ADT) for TH 37 from Gilbert's western city limits to Alaska Avenue is 3,650 vehicles, 175 of which are classified as 'heavy' vehicles. TH 135 is the primary east-west arterial. ADT counts for TH 135 east of TH 37 are 4,350 vehicles, including 325 heavy vehicles. West of TH 37 the ADT on TH 135 is 6,400 with 310 heavy vehicles. County Road 97, east of CSAH 96 has an ADT count of 980, and between TH 37 and CSAH 96 the average daily traffic count is 1,900. Traffic volumes and road conditions in the Gilbert Area are considered to be within normal design standards and operating capacities by the St. Louis County Traffic Engineer.

III. FACILITY DESIGN & DEVELOPMENT PLAN

A. FACILITY DESIGN PLAN.

1. Conceptual Development Plan. This project consists of five principal developments: 1) the connector trail (one-mile), 2) two vehicle underpasses, 3) the core trail system (about eight miles), 4) a series of vehicle-specified trail networks (about 66 miles) and 5) perimeter fencing. The new connector trail will exit the existing Iron Range OHVRA and travel north through planned culverts under both State Hwy 135 and Arcelor Mittal's primary haul road (**Fig. 4 – Connector Trail Detail**).

The connector trail and core trail system will be constructed to serve as multi-use arterials suited for both Off-highway vehicle (OHV) and Highway Licensed Vehicle (HLV) travel. The connector road and the core trail system will range in width from 12 to 20 feet, have a high load bearing capacity, and will be constructed to forest road standards. The trail networks will be developed along new corridors and will be constructed to specifically accommodate each class of OHV. The vehicle-specified trail networks will be built to specifications and sizes appropriate for the size of vehicles within each class [*i.e., 24" for Off-highway Motorcycles (OHMs); 72" for All-Terrain Vehicles (ATVs); and 108" for Off-Road Vehicles (ORVs)*]. In certain cases, however, where major grading and trail bed work is required, construction corridors must first be widened to 10 to 12 feet in order to accommodate standard (full-sized) trail construction equipment. The core trail system and the areas proposed for the series of vehicle-specified trail networks are shown in **Figures 3 & 4**.

The final location of the roads and trails will be determined using trail siting criteria that: 1) Make maximum use of existing disturbed corridors, 2) Select new corridors that are judged to be sustainable and suitable for their intended purpose, and that 3) Minimize negative effects on the site's natural resources. Wetlands, riparian areas, shoreland zones and other low-lying areas will be generally avoided, as will steep hills, rocky cliffs (*except for access to overlooks*) and upland areas of dense or unbroken vegetation. Large overstory trees will also be avoided to the extent possible.

2. Vehicle Access & Site-Use Plans. Public access to the facility will be via Enterprise Trail to Petit Road and through the main gate/contact station located in Gilbert. No access will be allowed from the City of Virginia, or from the connector trail that links the Gilbert and Virginia portions of the park. Signing, fencing, gating and enforcement will ensure that visitors always use the main gate.

The OHV trails on the Virginia site will be designed using MN DNR's recently published "*Trail Planning, Design and Development Guidelines for Sustainable Trail Development (MDNR 2006)*". Trail construction techniques will also be strongly influenced by local site conditions (*e.g., vegetation, terrain, soil types*), the presence of surface waters and/or wetlands, and by pre-existing roads, trails, railgrades or other travel corridors located on the site.

3. Day-Use & Support Facilities. Throughout the trail system, points of interest, such as overlooks, scenic vistas, pull-offs, picnic/rest areas, and day-use sites will be developed to enhance visitor experiences at the Virginia site. Some of the proposed overlooks are shown on the project maps (**Fig. 3 & Fig. 4**). Other areas may be developed as new opportunities arise or new trails are constructed. Future development will be limited mostly to areas previously disturbed by construction activities or other areas that can be developed with little disturbance or impact.

4. Berms, Buffers, Fences and Boundaries. Highway barrier fencing, similar to that used at the Gilbert Site, will be used to prevent uncontrolled public ingress or egress along most of the park's boundaries. Barrier fencing will not be placed in wetlands, riparian areas, or other areas where installation might impact natural resource values. This barrier fence is a recycled product that resists damage and has proven effective at preventing unlawful entry into the park and trespass (intentional or otherwise) onto neighboring properties by park visitors. Since 2002, this fencing has proven very effective in discouraging unlawful activity.

B. OPERATIONS ELEMENT.

1. Policies & Operating Procedures. The Iron Range OHVRA, which opened in 2002, is presently operated year-round during daylight hours, with a reduced operating scheduling during winter months. The facility is closed during the annual firearms deer season. There is no fee for admission, except for attendance at some special events. The sole public entrance to the OHVRA is via State Highway 135 off Enterprise Trail to Pettit Road (in the City of Gilbert).

2. Public Safety & Inspections.

Registered vehicles that possess the required safety equipment, mufflers and spark arrestors will be admitted if they comply with applicable sound regulations (*ATVs = 99dB(A) and OHVs = 96 or 99 dB(A), depending upon the year manufactured, using the Standard SAE 1287 sound test*). All vehicles must be equipped with standard manufacturer-supplied noise suppression equipment. Vehicle checks are conducted at the main gate. Random spot-checks will also be conducted to ensure that noise suppression devices are not altered after gaining entrance to the park.

3. Monitoring, Maintenance and Enforcement.

Trail Monitoring & Maintenance. The objective is to keep trails sustainable and minimize unwanted soil compaction, displacement, erosion or damage to living vegetation. Designated riding trails may be closed temporarily following heavy precipitation events, for regular maintenance, or for emergency rehabilitation or repairs. All active use areas will be fenced. Signage and barriers will also help prevent unlawful entry, trespass or unauthorized off-trail riding.

Trail treadway conditions will be regularly monitored for debris, fallen limbs, washouts, rutting, and vegetative conditions. Trail signage and support structures (*e.g., culverts, bridges, drainage devices, retention ponds*) will also be periodically inspected to ensure that they are functioning properly and in good working condition. Specific maintenance prescriptions will depend upon local site conditions, soil types, traffic levels, and other factors.

Vegetation Management. Vegetation along the trail will be managed to maintain a 'clearance zone' and to preserve the integrity of the trail surface. This includes removal of encroaching vegetation by

cutting and/or spraying of an approved herbicide by a licensed applicator. Vegetation along trails will be maintained and restored if damaged or destroyed.

Monitoring/Inspection Schedule. Trail monitoring and inspection will occur regularly throughout the year to detect potential maintenance issues before unsustainable conditions or safety concerns arise. Table 4 provides suggested inspections for each season of the year.

Table 4. Vegetative Cover Types – Virginia OHV Recreation Area. (MDNR, Parks & Trails, 2009)

Inspection Schedule	
Routine inspections are necessary to stay on top of maintenance issues and to address potential problems at an early stage. The following suggests an overall seasonal approach to inspections.	
Season	Inspection Focus
Spring	Inspect for damage from winter season use and freeze-thaw cycles. Check for erosion, plugged culverts, vehicle-caused damage, unauthorized uses, and other visible signs of tread imperfections. Record problems and schedule maintenance on a priority basis. Stabilize tread and clear debris from the trails as soon as possible in the spring.
Summer	Conduct daily/weekly inspections to keep trail in safe, usable condition. Inspect vegetative growth and encroachment. Pay special attention to erosion issues, drainageways, and ditches that receive heavy spring runoff. Record all problems and fixes, and schedule needed maintenance on a priority basis.
Fall	Conduct ongoing inspections to keep trails in a safe, usable condition. Focus on maintenance issues that must be taken care of <u>before</u> winter to avoid added damage during spring thaw. Special focus on tread dips, drainage crossings, culverts, and drainageways that must be operational in order to handle spring runoff.
Winter	Inspect low areas and drainages that cannot be easily accessed during summer. This includes culverts, ditches, water crossings and beaver ponds.

Controlling Invasive Species. Preventing the spread of invasive plants is a major concern for resource managers. Trails staff should become familiar with these species and contemporary practices for controlling their spread. Best management practices and departmental policy related to controlling invasive species is available in the Div. of Parks & Trails' Appendix to *DNR Operational Order 113*.

Enforcement. The DNR's Enforcement Officers are responsible for enforcing regulations at the Iron Range OHVRA. They may be assisted by state or local officers on occasion, or even by 'Trail Ambassadors'. These trained, certified volunteers may help monitor activity in the OHVRA, but since they are not licensed peace officers they cannot detain or arrest suspected violators. They can help educate trail users, give minor aid in emergencies, and provide useful information about OHV trails and the responsibility of those who use them. At the conclusion of each shift, Trail Ambassadors complete a 'Daily Trail Log'. These logs are collected, filed and observations are shared with affected MN DNR divisions. Enforcement issues, for example, are forwarded to local Conservation Officers for follow-up.

Good communications with local and state enforcement agencies is critical to lasting success. The Off Highway Vehicle (OHV) Safety Enforcement Grant Program, administered by DNR Enforcement, provides grants to County Sheriff's Offices and local agencies to assist with OHV enforcement. Grant funds are available to assist with officer training, rider safety training, and field enforcement activity. Funds are available to local enforcement authorities in the vicinity of the Iron Range OHVRA to intensify enforcement monitoring and patrol activity.

C. PROGRAMMING & VISITOR SERVICES.

1. Visitor Services. Upon arrival, visitors need to quickly orient themselves to the park, and locate essential services (*e.g., telephone, rest rooms, contact station, vehicle testing area*). Visitors also require information regarding emergency and support services (*e.g., emergency medical assistance, gasoline, food, lodging, restrooms, campgrounds, vehicle towing and repair services*). A comprehensive map of the park and guide to local public services will be provided upon arrival, and displayed publicly at conveniently located information kiosks within the park.

Trail User Orientation. Trail user orientation is important so that visitors make informed choices regarding potential trail destinations, travel times, required skill level and equipment, and the type of recreational opportunities they might expect. Riders must also understand park rules and regulations. Visitor information will be included on maps, in printed brochures, on web links, and is displayed on information boards at parking/staging areas, at trail junctions and along most major access roads. Locational and directional signing, once inside the facility, helps visitors orient themselves, and enables emergency personnel to quickly locate distressed vehicles or visitors. Mile markers, maps and signing of all road and trail crossings (*even water crossings*) are also helpful in this regard.

Interpretation. Natural and cultural resources of interest include lakes, rivers, bluffs, wetlands, mine pits and dumps, tailings basins, forested and riparian areas. Providing interpretive information adds to the overall visitor experience, and fosters a sense of stewardship. Interpretive displays will be developed in consultation with other DNR divisions and the Minnesota Historical Society to ensure accuracy.

Staff and volunteers can add a uniquely valuable dimension to the recreation area experience through formal or informal visitor contacts. They can greet visiting groups and individuals, answer questions, or provide information, even present audio-visual shows or give tours of the facility.

2. Safety Training & Volunteer Programs. The OHVRA provides a safe, well-maintained recreational facility with dedicated indoor/outdoor training and practice riding facilities. The curriculum focus is on rider safety and skills training, vehicle maintenance, trail etiquette and ethics, and a variety of youth-oriented certification courses. Typically, DNR Enforcement Education & Training Section Staff assist in developing or reviewing the training curriculum for this facility, and in training volunteer instructors in the delivery of ATV and OHM safety training coursework.

Volunteer participation is critical to the long-term success of the OHVRA. Authorizing legislation calls for the implementation of "*adopt-a-recreation area*" measures as set forth under *MS 85.045*. This program encourages individuals, business and civic groups to volunteer to improve and maintain state recreation facilities. Volunteers are an excellent source of labor for trail construction, maintenance, management and long-term monitoring efforts. Volunteer programs can lead to improved, mutually-supportive relationships between constituent groups and facility managers

Examples of volunteer projects might include helping develop rest areas, interpretive projects, or cleaning-up litter and debris. Special project assignments, like developing non-motorized hiking trails, scenic overlooks, interpretive materials or facilities, or carrying out restoration or planting programs are also important. In so doing, OHV groups can also sponsor concurrent safety or equipment demonstrations, trail repair workshops, or skills training workshops for club members. Trail inventory, mapping or monitoring projects, are another area where volunteer labor can be especially helpful.

3. Special Events. The OHVRA is well-suited for hosting Special Events. Events generate revenue and bring in large numbers of visitors. However, from a management standpoint, events can be costly, labor intensive, time-consuming, and carry an element of risk. For that reason, it is important that events be well-planned and coordinated, and that event areas be properly designed, located and maintained. Various type of competitive or non-competitive outdoor events may be staged at the OHVRA, subject to environmental and noise considerations. Specific permit conditions will vary depending on the type of event and expected attendance.

No vehicle races or other competitive events may be held at the Gilbert location, due to its proximity to occupied dwellings. These events may, however, be permitted at the Virginia Expansion site.

Special events require prior approval by DNR Parks & Trails and issuance of a Special Event Permit. A fee may be charged to cover the DNR's costs associated with staff time, equipment or materials needed to conduct the event. A surety bond will also be held to ensure that sponsors restore the facility to its' pre-event condition. Permit terms are negotiable and depend upon the required level of services, and who provides these services. The Facility Manager will notify the Local Area (Citizen's) Advisory Committee annually of the proposed schedule of special events. He/she will also notify and consult with the Gilbert City Council regarding the annual calendar of planned special events at the OHVRA.

Vehicle checks will be conducted at the main gate. All OHVs entering the facility, except for special competition vehicles, must display a current off-road sticker. Vehicles licensed in another state need not purchase a Minnesota off-road sticker. There is no fee for general admission or for parking, except during certain events.

Registered competition vehicles, with engine or exhaust modifications, will be admitted to designated event areas only for practice and competition. All operators must wear helmets, unless their vehicle is equipped with an approved roll-cage and passenger harnesses. All event participants must wear helmets.

IV. PROJECT EFFECTS

A. ENVIRONMENTAL EFFECTS.

1. Land-Use. This project complies with all provisions of both the Gilbert and Virginia City Zoning Ordinances. The Land-use districts in eastern Virginia include mostly 'Mining and Open Space,' but also a mixed classification for Section 21, which includes areas classified as 'Public Property,' 'Industrial,' or 'Residential' land-uses. Land-use classifications in those portions within the City of Gilbert include the '*Public, Recreation and Forest Reserve District*' (Sections 11, 12, 14 and 23) and the '*Mining and Industrial Activity District*' (Sec. 12, 13 and 24). Development of the OHVRA expansion is consistent with and conforms to current zoning ordinances. Public recreation is deemed a 'permitted use' in each of these municipal land-use districts.

Land Cover. Approximately 80% of disturbed acres are assumed to come from the Brush/Grassland cover type, with the remaining 20% coming from the Wooded/Forest type. No permanent or irreversible cover type conversions are associated with this project. Development activities will be limited primarily to improving existing road and trail corridors, establishing new trail networks, and stabilizing associated soils, slopes and cutbanks. The following table summarizes expected pre/post project cover type changes.

Table 5. Cover Type Changes Resulting from the OHVRA Expansion at Virginia (MDNR 2009).

Cover Type	Before	After	Cover Type	Before	After
Types 1-8 wetlands	26 ac.	26 ac.	Lawn/landscaping	0	0
Wooded/forest	1,779 ac.	1761 ac.	Impervious surfaces	0	91 ac.*
Brush/Grassland	580 ac.	507 ac.	Stormwater Pond	0	0
Cropland	0	0	Other (mine dumps and disturbed areas)	255 ac.	255 ac.
			Other (open water)	64 ac.	64 ac.
TOTALS				<u>2,704 ac.</u>	<u>2,704 ac.</u>

* Hardened surfaces, like gravel roads or hardened trail treadways, can act like impervious surfaces by shedding rainfall and surface water flow. They are not, however, true impervious surfaces. Truly impervious surfaces, like asphalt, concrete, or plastic materials, repel water and have zero infiltration rates. Compacted natural surfaces do retain infiltration capability, albeit much reduced from natural uncompacted conditions.

2. Surface Water Quality. This project involves trail crossings of both the Pike River and two unnamed tributaries, which are state public waters regulated by the MDNR. MDNR's Division of Waters and Section of Fisheries have been consulted regarding impact avoidance and minimization measures. The Pike River crossing will extend approximately 1,100 feet across associated wetlands. This crossing will require the construction of a new bridge, and some fill will also be needed along the wetland segment. The crossing will be built to forest road standards to support construction and maintenance equipment. The road will be graveled and elevated by using fill material through the wetlands. Guidelines for the construction of road crossings are provided in the 2006 MDNR report, "Best practices for meeting MDNR General Public Waters Work Permit (GP 2004-001)."

Once across the Pike River lowlands, the core trail will use segments of existing roads and trails, which may already have crossing structures in-place. These existing stream and wetland crossing structures will be used when feasible and repaired or upgraded when necessary. Little new or added construction is anticipated. The exact locations or numbers of any new or expanded water crossings has not yet been determined.

All bridge and culvert placements will be appropriately sized, and installed when drainageways are dry. Both the upstream and downstream culvert ends will be protected with rock and rip-rap material. Trail crossings of smaller ephemeral drainageways will use a combination of culvert and rock rip-rap materials that will provide a hardened trail surface, while protecting the stream bed and banks from wheeled-traffic. Where crossings do prove necessary, bridges will be preferred to culverts. All such crossings will be developed according to Best Practices Guidelines and permit specifications.

Since much of the riparian area of the Pike River is comprised of wetlands, the river substrate is composed of mostly soft, unconsolidated sediments. This contributes to a less diverse invertebrate community than that typically found in lake systems, and one that is relatively tolerant of increased nutrient or sediment loads. Fauna in this riverine system are fairly resilient to water quality changes. However, continued monitoring of the Pike River and its tributaries is suggested (by DNR

Fisheries) to identify any future impacts to water quality and/or the invertebrate population of these rivers.

3. Lakes, Streams & Wetland Impacts. The MDNR will design, construct, operate and maintain OHV trails with the goal of protecting and maintaining water quality and surface hydrology. Construction setbacks in riparian areas, along steep slopes or in unstable soils will help minimize erosion and stream sedimentation. Vegetated filter strips will also help preserve the integrity of shoreland zones. Project planning, design, and construction will be conducted in accordance with site-level water quality guidelines and best management practices. **(Surface hydrology is shown in Fig. 6 - NWI Map).**

Riparian Area Protections. Practices that improve trail drainage and manage runoff will include a mix of design features such as rolling dips and grades and outsloped or crowned trail treads. Structural erosion controls include measures such as tread hardening, water bars, and sediment basins, which help minimize soil erosion and stream sedimentation. Trails will be designed, located, constructed and maintained in a manner which will not impede natural flow conditions.

Trail construction will be setback a distance of 50 feet or more from the Ordinary High Water Level (OHWL) of all surface waters and tributaries, with the exception of unavoidable water crossings. Where no feasible placement alternative exists, trails will maintain as sizable a setback distance as is possible and feature an enhanced vegetative filter. Vegetated filter strips will be maintained around all riparian areas, especially adjacent to the Pike River and its unnamed tributaries. Runoff will be directed into these strips for on-site filtration. Public water access will be limited to footpaths which will be signed, fenced, gated and/or landscaped to prevent vehicular access.

Wetlands. The NWI map shows that wetlands occupy 14% of the project area (or 385 ac.). According to the NRCS soils map, hydric soil delineations and hydric/non-hydric soil complexes cover about 640 acres or 24% of the site **(Figure 5 – Soils Map)**. Hydric soils are characterized as poorly to very poorly drained. Lowland or wetland vegetative cover types are estimated to cover about 19% of the project area (Table 1).

Sequencing steps (*i.e., avoidance, minimization, delineation, permitting and mitigation*) will be followed during all phases of project development. When unavoidable environmental effects are identified, impacts will be minimized and wetland loss mitigated according to the “no net-loss” requirements of the Wetlands Conservation Act.. Wetland mitigation will be in-place and in-kind, wherever and whenever possible. Restoration of previously degraded wetlands on site will also be given serious consideration by DNR’s Area Management Team Members.

Wetland soils and vegetation, shoreland zones, stream crossings, and seepage areas will be avoided during initial trail placement. After flagging lowland routes, a wetland technical evaluation panel will evaluate actual site conditions. The team will be comprised of representatives from the MDNR, the Soil & Water Conservation District, and the U.S. Army Corp of Engineers. No construction will begin until wetlands and areas of hydric soils have been delineated, mitigations identified, and all necessary construction permits have been issued.

4. Soil Erosion and Stream Sedimentation. (Fig. 7 - Soils Map) The construction of an estimated 75 miles of roads and trails will disturb approximately 91.0 acres, calculated at 1.21 acres per mile of

10-foot wide trail (max.-width). Using an estimated one-foot deep soil disturbance zone, a maximum of about 150,000 cubic yards of soil will be moved or otherwise disturbed as a result of this expansion. This 'worst-case' estimate presumes that construction corridors are essentially 'undisturbed', which is often not the case. Much of this site has been previously disturbed as a result of road or trail building, mining or mineral exploration, or informal public use. Most of the site features gentle to moderate slopes and moderate soil erosion hazard ratings. Areas with severe erosion risks or other identified physical limitations will be avoided.

Accelerated soil erosion can result from improper trail design, construction, grading, or failure to control storm water runoff. Uncontrolled soil erosion can, in turn, lead to the sedimentation of surface waters and wetlands, degradation of aquatic habitat, and disturbance to the natural (hydrologic) functioning of wetland areas. The MDNR's *Trail Planning, Design, and Development Guidelines* (MDNR 2006) provides guidance for building sustainable trails across challenging slopes, soils, sub-soil conditions, and in areas with serious erosion hazards. All construction will comply with these guidelines and recommendations.

Mitigation Measures. Although mechanical action will be required along both new and existing corridors, the areal extent and depth of excavation will be kept to a minimum. Treadway improvements may include elevating the treadway, surface grading or out-sloping, installing or modifying culverts, or in some cases, installing geotextile construction fabric or geocells (*structural stabilizer blocks*). Irregularities in the treadway will be rectified by filling rather than cutting in order to minimize disturbance. Areas deemed too wet, unstable or too highly erosive will be avoided. Off-site soil loss or movement, beyond naturally occurring levels, is not expected.

Overland runoff during construction will be controlled using hay bales, check dams, and silt fences; vegetative cover through seeding and/or mulching; or by creating small sediment ponds or catchment basins. Runoff will also be re-directed into vegetated areas for on-site filtration. Cut banks will be revegetated with a native seed mix formulated to benefit wildlife. Hydrologic flow conditions will be maintained or improved in most work areas. A Stormwater Pollution Prevention Plan (SWPPP), including best management practices for preventing erosion and sedimentation, will be developed and followed per MPCA Construction Stormwater General Permit requirements.

5. Fish, Wildlife & Ecologically Sensitive Species. Construction related activities will, to some extent, reduce the quality of affected wildlife habitats. Game and non-game species will also be subject to disturbance caused by the ongoing human activity and noise associated with OHV use. Upon completion, the 3,900 acre Iron Range OHVRA is expected to accommodate up to 100 riders per day, based upon a projected 50% increase in visitation over present levels. This equates to approximately 40 acres per rider. Wildlife should be minimally impacted by this intensity of use.

Sizable inactive or unused areas: 1) On the southwestern end, 2) Within buffer areas and private in holdings, 3) Along a broad wetland zone of the Pike River, and 4) Outside of the project area, will give most species the opportunity to escape disturbances attributable to trail riders. Given the area's long history of forestry, mining and landfill activity, most of the common species present in the project area are likely to be quite tolerant of disturbance. Species which are tolerant of, and in some cases thrive upon, disturbance and early successional vegetative stages (*i.e., white-tailed deer, red fox, raccoon*) are not likely to be seriously affected by a project of this size and character at either the site-level or population-level. While for other, less mobile species inhabiting the

project area, some displacement may occur, and limited mortality could be expected as a result of intra-species competition and loss of habitat.

Priority conservation actions needed to protect and maintain key habitats and species are focused on 1) Upland deciduous mixed hardwood-pine forest, 2) Upland coniferous red-white pine forest, 3) Jack Pine woodlands, 4) Lowland coniferous forest, and 5) Stream habitats. Less than 10% of the Virginia Expansion Site contains these habitats. Trail construction in or near these habitats will be minimized, or carefully designed to preserve and maintain habitat integrity. Area Management Team members will help guide trail development and will consult with facility managers on potential wildlife habitat management issues.

Habitat Condition and Fragmentation. The ‘disturbed’ soils and vegetation of mined areas cover approximately 29% of the 2,704-acre site. Having a limited value for wildlife, the disturbed sites are well-suited for developing recreational trails. Proper avoidance and mitigation steps can further limit the wildlife habitat effects. Examples include avoiding wetlands and observing appropriate construction setbacks from surface waters, routing trails around (rather than through) contiguous habitat types, and limiting public access to nesting sites or critical habitat features. Habitat connectivity, biodiversity and forest fragmentation effects can also be minimized by keeping newly constructed trails narrow and soil/site disturbance to a minimum.

Habitat fragmentation will be minimized by 1) Using primarily existing corridors, 2) Keeping corridors as narrow as possible, and 3) Minimizing disturbance associated with new trail construction. Although trail bed grading and shaping will be required along portions of some existing corridors, forest canopy alteration will only occur along new trail segments where vegetation will be cleared to a height of about 10-feet for rider safety. Overhead forest canopy will be retained whenever possible, and trail alignments will generally avoid large trees or dense, unbroken vegetation.

Invasive Terrestrial Species. All new trails will be closely monitored for invasive species during the first year after construction and periodically thereafter, according to established standards and protocols (*DNR Op Order 113*). These site-level guidelines contain procedures specific to trails and trail use intended to “*prevent or limit the introduction, establishment and spread of invasive species*”. Where infestations are identified, control methods will be applied to limit their spread to uninfested areas. Keeping riders on designated trails will limit the potential transport of invasives to uninfested woodlands. A vehicle wash facility already exists near the Gilbert Contact Station so that seeds, soil, and vegetative material can be removed from vehicles. Information on identifying and preventing the spread of invasive species will be provided to OHVRA visitors.

Rare or Sensitive Species Protections. MDNR Natural Heritage and Nongame Research Program database (NHIS) reviews of this site were conducted in October 1999, then again in February and November of 2009 to identify significant natural features known to occur within or proximate to the project area. These reviews noted the presence of **Peregrine Falcon (*Falco peregrinus*)**, **Red-Shouldered Hawk (*Buteo lineatus*)**, **Grape-ferns (*Botrychium* sp.)** and **Canada Lynx (*Lynx Canadensis*)**. Suggested measures for avoiding or minimizing impacts to these species were provided by NHIS Staff and have been incorporated into the project design and construction plan.

Adaptive Management. Should evidence of any of these species be identified during project planning, design or construction, appropriate steps will be taken to reduce the potential for population or habitat effects. Among the approaches most commonly taken are the following:

- Spatially separate humans and wildlife in sensitive or unique habitats. Separate humans and wildlife during critical periods (*e.g., breeding or nesting*);
- Strictly control human use of access and development corridors. Restrict off-road and off-trail vehicle use, especially in sensitive areas (*e.g., riparian areas*);
- Whenever possible, avoid trail development in unroaded areas, minimize corridor width, increase curvilinearity, maintain forest canopy cover, and develop and maintain corridors at the minimum standard necessary for intended use(s), and
- Actively work to prevent the introduction of exotic plant species. These species greatly diminish the quality and utility of native habitat.

With these precautions, and with continuous site monitoring, no significant, lasting or irreversible impacts to sensitive species or their habitats are anticipated to result from implementation of this project as described.

6. Construction Effects (Temporary). Seventy five miles of new and existing trail is proposed over the life of the project. Little or no mechanical action is proposed for most existing upland corridors, with activity limited to remedial measures, (*i.e., filling ruts and holes; soil stabilization, out slope maintenance, etc.*) Some limited construction will be necessary to improve cut and fill slopes, treadway conditions in wet areas, and any unstable or erosive segments. Ground fabrics and fill material, such as gravel or other aggregate materials, will be applied to rutted areas to stabilize and elevate the trail treadway.

Excavation will be kept to a minimum to reduce soil erosion and potential future drainage problems. In areas of highly compactable soils, dry granular soil or gravel fill will be added to stabilize trail surfaces and fill low spots (rather than by cutting with heavy equipment). Treadway crowning, hardening, outsloping and other suitable grade modifications will also be employed to manage runoff and erosion. Runoff will be directed into vegetated areas by ditching, and secondary measures may be applied if vegetated buffers lack the capacity to absorb the flow. Cut and fill slopes will be maintained to ensure treadway stability. Periodic grading and filling will also help shape the trail treadway to shed water and stabilize the treadway surface.

New trail corridors will typically be sinewy and limited to required vehicle widths, from two to six feet wide, in order to improve rider interest, enjoyment, and challenge. These new corridors will be configured to control erosion in hilly areas by incorporating grade dips, grade reversals, rolling dips, and switchbacks into the alignment.

Clearing new corridors will entail flagging suitable pathways for the trail system and removing brush and small trees to ground level and delimbing larger trees to a height of 10-feet. Chainsaws, brush saws, overhead limb saws, and possibly a brush mower, will be used for brushing trails. The treadway will be further prepared by grubbing the surface to remove roots, stumps and large rocks. Debris will be pushed away from the trail so as not to create a safety hazard. Materials disturbed during construction will be reused when possible, or deposited at borrow sites and revegetated.

New trail corridor construction may require treadway elevation, out-sloping, bench cuts, culvert

installation, and/or heavy surface blading. Equipment necessary to accomplish this may include an AT300; Sweco dozer or crawler; backhoe; or ASV Posi-Track loader. Sign installation will require the use of post-hole diggers or pounders. The locations of borrow pits are not known at this time. Wet areas, riparian areas, and steep, unstable or erosive sites will be avoided.

Invasive Terrestrial Species. Existing infestations will be identified within specific construction areas. Construction work will begin in non-infested areas **before** moving to infested areas, and equipment will be thoroughly cleaned after all work in infested areas. Disturbed areas will be immediately re-vegetated per departmental policies and guidelines.

The introduction of exotic or invasive weeds from construction activities will be minimized by removing the top organic layers prior to excavating fill materials so that only mineral soils are removed. Borrow pits will also be situated as close to the work site as possible, and will not be located near natural areas. Any material (*top soil, gravel, seed mix*) brought to the site from an outside source will be certified weed free.

7. Noise, Dust, Traffic & Odors. Noise will be generated both during trail construction and facility operations. Construction-related noise will be temporary and occur only during daylight hours. OHV generated noise depends upon the number and types of machines operating in a particular area, on the type of engines (*i.e., 2-cycle vs. 4-stroke*), engine displacement, RPM levels at which machines are operating, and the effectiveness of vehicle noise emission controls (*i.e., mufflers and exhaust baffles.*)

As visitation increases, an increase in noise over current conditions can be expected. However, the Virginia expansion area is substantially more remote and has fewer close neighbors than does the Gilbert Site. No occupied dwellings are located within 2,500 feet of planned vehicle operations in the expansion area. Moreover, the area is predominantly located within the ‘industrial’ land-use classification, which permits higher ambient noise levels under state law.

Under normal operating conditions, the Minnesota Pollution Control Agency’s Daytime Ambient Noise Standards for $L_{50} = 60$ dB(A) (*that level exceeded 50% of the time*), or the $L_{10} = 65$ dB(A) standard (*that level exceeded 10% of the time*), will not be exceeded by park visitors. Vehicles entering the facility are routinely checked for required noise suppression equipment, then tested and certified if they meet state vehicle noise emission standards. Machines that fail to meet standards cannot be used at the facility.

Repeated ambient testing conducted by MDNR staff, with the assistance of MPCA staff, at sensitive noise receptors located adjacent to the Gilbert facility, has shown that State Noise Standards can be met regardless of seasonality (*leaf-on or leaf-off*), prevailing wind conditions, or the numbers or types of vehicles in operation during the testing cycles.

Despite the remoteness of the Virginia expansion area, some may still characterize the ATV/OHM engine sound as “annoying,” especially considering the low ambient noise levels typical for rural areas. While acknowledging the potential for annoyance, the MDNR does not believe that anticipated noise levels will, under any circumstance, constitute a ‘nuisance’ under state law [See *Minn. Rules, Chap. 7030*]. MPCA, acting in concert with MDNR and local governmental units, is charged with enforcing Minnesota’s State Noise Standards.

Although the additional OHV traffic will produce increased noise levels over current conditions, over the longer term, OHV noise, in the aggregate, is expected to decline with the advent of newer, quieter machines. Noise propagation is also mitigated by foliage and dense understory vegetation during the summer months and by snow during late fall and winter. The hilly landscape, and wind patterns will also help to attenuate or ‘muffle’ vehicle generated noise.

Since operations of the active Iron Range OHVRA-Gilbert site began in 2002, no noise issues or complaints have surfaced, despite the close proximity of several homes and businesses. The Gilbert facility has achieved a voluntary 10-15 dB(A) reduction from noise levels allowed under state law. This has been achieved through the use of setbacks, berms and buffers, and by implementing trail design techniques and traffic flow restrictions that act to limit noise. **This reduced noise standard will not be necessary in the Virginia Expansion site given its remote location, its industrial land-use classification, and its lack of any nearby sensitive noise receptors (e.g., occupied dwellings).**

Odors. Ambient odors generated from nearby stationary sources, (*i.e., asphalt processing plant, open pit mining operations, landfill operations, DM&IR Railway, etc.*) are likely of greater magnitude than vehicle emissions generated on the Virginia Expansion site. Construction and maintenance-related odors and emissions will be of a minor and temporary nature, while operational emissions will vary in intensity as a function of the amount of OHV traffic generated along established trails. The odors are anticipated to dissipate quickly under typical climate and wind conditions.

Dust. Operation of OHV’s during dry conditions on graveled or natural surface trails will result in the generation of airborne dust. Dust generated during dry, windy conditions can be troublesome, both for neighbors and for recreation area visitors. However, dusty conditions are expected to be localized, and limited to a narrow zone along heavily used roads and trails. Little or no off-site transport of fugitive dust is anticipated. Problem segments will be stabilized with additional gravel, or temporarily closed until conditions improve.

8. Vehicle Emissions & Air Quality. Vehicle exhaust emissions will increase during both construction and facility operations. Construction-related emissions will be minor and temporary in nature, arising from the use of heavy equipment to create or improve roads and trails. Longer-term operational emissions will result from the operation of highway-licensed vehicles (*needed to access and manage the site*) and off-highway vehicles operated on-site. Emissions from these sources are currently at low ambient levels in the project area. With the proposed expansion, emissions will increase proportionate to the number of new riders that visit and use the park. Visitation is expected to increase by about 50% over current levels, or to about 15,000 riders/yr.

Off-highway Vehicles (OHVs) emit pollutants that can linger, especially at intersections or where vehicles congregate. Local climatic conditions will, however, act to dissipate, dilute, and control concentrations of noxious vehicle emissions. Winds are more pronounced in open areas, atop mine dumps, and in other upland areas where most road/trails will be located. Although OHV tailpipe emissions may be objectionable to some, they are unlikely to exceed state or federal air quality standards.

B. SOCIAL, ECONOMIC & COMMUNITY EFFECTS.

1. Character of the Project Area. Any potential large-scale community effects related to this project (positive or negative) would be similar in scope and scale to those resulting from nearby recreational trail developments (**Figure 8**). That is, socio-economic or environmental effects stemming from the Virginia Expansion will likely be comparable to those of other area recreation projects. More importantly, project (*negative*) impacts will pale in comparison to the effects of nearby commercial and industrial operations. This expansion project is expected to contribute positively to the social and economic well-being of the greater Quad Cities Area.

2. Scenic, Visual or Aesthetic Effects. Overlook areas will be developed to complement the core trail system and vehicle specified trail networks. The overlook areas will take advantage of the impressive views from the top of 125'+ tall mine dumps. Vehicle restraints and pedestrian set-backs from scenic vistas and overlooks will be installed to ensure that overlooks are safe for visitors, and that they do not impair natural, scenic or aesthetic values.

3. Recreational Opportunity. Several complementary recreational trail developments are currently underway in the vicinity of the Iron Range OHVRA. Some trail connections (to the OHVRA) already exist and more are planned. Among the projects currently underway are the Moose ATV/OHM Trail, the Mesabi Mountain ORV Trail, the Genoa ATV/OHM Trail, and the Mesabi Hiking/Biking Trail. Each is discussed briefly below. **All are shown in Figure 8 in Appendix D.**

The Moose Trail is a planned seven-mile ATV/Off-Highway Motorcycle (OHM) Trail that will connect the City of Biwabik to the Iron Range OHVRA at Gilbert. The trail, currently under construction, is being developed largely along an existing snowmobile trail corridor. The East Range ATV/Snowmobile Club hopes to accommodate ATV use of the corridor during the snow-free season. The trail's proximity to the OHVRA will enable MDNR Staff to monitor trail use and trail conditions, and will eventually connect to the OHVRA, as well as lodging, camping and support services located nearby. This new trail access should help alleviate (*mostly unintentional*) private property trespass and reduce ditch riding in the vicinity of the OHVRA.

The Mesabi Mountain GIA Trail is a 4.1-mile trail, currently being developed for use by registered Off-Road Vehicles (ORVs). The trail will begin just east of the Mesabi Range Community and Technical College in Eveleth, then wind northeastward through heavily forested public and private lands. The difficult terrain and ledge-rock will create a challenging jeep trail rated "*most-difficult*" for experienced drivers. Its proximity to the Iron Range OHVRA will provide park visitors with an additional nearby riding opportunity.

The Genoa ATV/OHM Trail provides a direct connection from the City of Eveleth to the City of Gilbert, beginning at the intersection of Highways 53 and 37 in Eveleth, and traveling 3.5 miles east to the Sherwood Forest Campground in Gilbert. It is a gravel-surfaced trail open only to ATVs and OHMs. This trail serves as an important connection between the Iron Range OHVRA and hotels and restaurants in the City of Eveleth.

The Mesabi Trail is a paved non-motorized hike/bike trail that connects the communities of Grand Rapids, Coleraine, Bovey, Taconite, Marble through Calumet and Pengilly, Nashwauk, Keewatin, Hibbing, Chisholm, Buhl, Kinney, Mountain Iron, Virginia, Gilbert, Sparta, Fayal, Eveleth and McKinley. Most recently, a 3.5 mile link between McKinley and Biwabik was paved during Summer

2009. The Mesabi Trail, winds through both the Gilbert and Virginia portions of the Iron Range OHV Recreation Area.

4. Transportation & Vehicle Traffic. Visitor and recreational vehicle traffic in and around the Quad Cities Area of St. Louis County (*i.e., Virginia, Eveleth, Gilbert and Mountain Iron*) will increase marginally with the expansion of the Iron Range OHVRA at Virginia. Noise, traffic, and vehicle exhaust emissions will also increase accordingly. This additional increment of disturbance associated with park expansion is, however, not anticipated to be problematic or deleterious, especially when considered on a regional scale.

5. Public Safety & Enforcement. During its first seven years of operation, there have been few problems with illegal activity in or around the Gilbert OHVRA. There have been no breaches of the perimeter fence, and no complaints from adjacent landowners or homeowners. Rider compliance with posted rules and regulations has been excellent. Site Managers expect this same level of visitor cooperation and compliance when the Virginia Expansion is added sometime in 2010.

Local law enforcement, first-responders, and emergency medical services personnel have helped to ensure public safety at the Iron Range OHVRA. Since operations began at the Gilbert site in 2002, local officials have not deemed this added workload to be problematic or deleterious to their operations. Special legislative appropriations have also been made available to local enforcement authorities to step-up OHV enforcement patrols.

6. Land-Use Compatibility. A large taconite mining operation is located just east of the Virginia Expansion site; a gravel mining operation is located on the northwest; and an active solid waste facility and haul road border the southwest portion of the project area. In addition, a former (now closed) solid waste facility is located in Section 10, just outside of the southern project boundary. Noise, dust and vegetative cover type changes resulting from this project will pale in comparison to impacts associated with these and other nearby commercial and industrial operations.

Pending Developments. Gravel mining operations have recently been approved for an area just south of the project boundary in Section 22. A retail development along Highway 135, also in Section 22, is contemplated, but construction permits have not yet been issued.

United Taconite plans on moving its mining activities into Section 16, which is within the southwestern quadrant of the project area. This development would restrict OHV activities within the active mine area for an extended period. However, The timeframe for United Taconite's planned expansion has not been finalized. Until a final resolution is provided, development of the Virginia site will proceed as outlined in this Master Plan Amendment.

7. Local Economic Effects. Research sponsored by DNR and conducted in 1997, prior to opening the Gilbert Site, estimated visitation at between 10,000 and 20,000 user-days per year. The associated economic impact was estimated at between \$200,000 and \$400,000 annually to the local economy. This was based upon a number of factors, including location and travel distances, vehicle registrations, and per capita visitor spending of \$20 per day. This impact was expected to occur gradually, as the facility was developed, and it did anticipate a connected site nearby.

Visitor estimates have proven remarkably accurate, despite the lengthy delay in securing the Virginia Expansion, which was authorized in 1999. The typical number of riders that use the existing Iron Range OHVRA facility (at Gilbert) during the peak summer use period ranges from 25-45 visitors per day, with peak visitation ranging up to as many as 100 visitors per day on weekends and holidays. Contact Station records indicate that the park currently receives about 10,000 visitors annually. With the expansion, visitation is expected to jump by 50% to about 15,000 riders/yr.

Although economic effects are more subtle and difficult to quantify, there has been a noticeable increase in economic activity that followed the opening of the OHVRA in Gilbert (in 2002). Many formerly vacant storefronts are no longer, and several new businesses have opened – some catering to OHVRA visitors. Occupancy at the City’s Sherwood Forest Campground has also increased dramatically, leading to plans to substantially expand this facility. Special events held at the OHVRA have boosted general economic activity in Gilbert, and lodging at Eveleth hotels and motels is at or near capacity during larger events. Tentative plans call for future construction of a hotel or motel in the City of Gilbert. Such plans may well hinge on this planned expansion, and on the many visitors – new and old that this expanded off-road riding opportunity is likely to attract.

8. Infrastructure & Public Services. This project will have no discernable impact on local roads, public utilities or services, aside from the nominal increase in tourism and traffic (discussed above). This added visitor traffic is not expected to tax existing roads, utilities or public services.

9. Historic & Cultural Resources. No historical, cultural or architectural features were identified within or immediately adjacent to the Virginia Expansion site during the database search conducted by the Minnesota State Historic Preservation Office (SHPO) in 2009. Historical properties located within one-mile of the project area include: Gilbert High School, Gilbert City Hall, First National Bank, Hopkins Park and the Glen Avon Presbyterian Church. Several historical houses and commercial buildings are also located in the nearby City of Virginia, Minnesota. Should any unknown archeological resources be identified during site development, MDNR will consult with the SHPO and the State Archeologist to determine the nature of the discovery and likely development effects, as well as the possible need for mitigation.

10. Unique Local/Regional Resources. The Iron Range OHVRA is Minnesota’s only state-run off-highway vehicle recreation area. As such, it represents a new and innovative approach to mine land reclamation. It adds a new dimension to traditional outdoor recreation in Northeastern Minnesota. It is also the state’s only user-funded State Recreation Area, supported solely by appropriations from dedicated funding accounts. Account revenues generated through vehicle registrations and unrefunded fuel taxes have financed the planning, design, construction, operation and maintenance of this facility since it was first authorized in 1996.

V. PLAN IMPLEMENTATION

A. ENGINEERING DESIGN & CONSTRUCTION. Road and trail construction will total about 75 miles when this facility is completed. The disturbance zone is estimated to be 91.0 acres in size (*1.21 acres per mile of trail for ten-foot wide corridors*). Although most trail construction will not exceed a width of 108 inches (nine feet), a ten-foot width was selected as a representative corridor width to ensure that total disturbance was not underestimated. This calculation also presumes that construction corridors are essentially ‘undisturbed’, which is often not the case. Much of this site has been previously disturbed as a result of road or trail building, informal public use, or through mining or

mineral exploration. Overlooks, scenic vistas, pull-offs, rest areas, and day-use sites will also eventually be developed at the Virginia site. Maintenance and operation of the expansion area will be integrated with operations at the Gilbert Site.

B. INITIAL OPERATIONS, YEARS 1-2. Initially, during the first season of operation, only major Core Trails and Connector Trails will be open to public use. The development of secondary or 'feeder' trails and support facilities will proceed gradually throughout the first 2-3 years of operation, and perhaps beyond. Completion of all planned 75-miles of roads and trails, and planned support facilities is not expected prior to the fifth season of operation.

The final location of roads and trails will be determined using trail siting criteria that: 1) Make maximum use of existing disturbed corridors, 2) Select new corridors that are judged to be sustainable and suitable for their intended purpose, and 3) Minimize negative effects on the site's natural resources. Wetlands, riparian areas, and shoreland zones will be steadfastly avoided. Steep hills, rocky cliffs (except for access to overlooks) and dense vegetation or areas with large trees will also be avoided whenever and wherever possible.

C. FUTURE EXPANSION PLANS & OHV TRAVEL LINKS. While future expansion or boundary modifications remain a possibility, no plans exist at this time to seek legislative authorization or funding for any future additions to the park. There are no plans to develop additional infrastructure or expanded parking facilities at either Gilbert or Virginia. Mining can and will continue to occur in conjunction with recreational activity as stipulated in authorizing legislation. Some relocation of OHV trails may prove necessary in the future should existing mine leases be activated or expanded.

D. LONG-TERM OPERATIONS, MAINTENANCE & MONITORING.

Facility Operations. The Iron Range OHVRA, which opened in 2002, is operated year-round during daylight hours, with reduced scheduling during winter months. It is closed during the annual firearms deer season. There is no fee for admission, except for attendance at some special events.

There is only one public entrance to the OHVRA via State Highway 135 off Enterprise Trail to Pettit Road (*in the City of Gilbert*). Registered vehicles that possess the required safety equipment, mufflers and spark arrestors are admitted if they comply with applicable sound regulations (ATVs = 99dB(A) and OHMs = 96 or 99 dB(A), depending upon the year manufactured, using the Standard SAE 1287 sound test). All vehicles must be equipped with manufacturer-supplied noise suppression devices. Vehicle checks will be conducted at the main gate. Spot checks will also be conducted periodically, in and around the park, to ensure compliance with state noise regulations.

Seasonal or temporary road and trail closures may be imposed at any time due to wet soil conditions, active logging or mining operations, wildfire danger, or for trail maintenance and repair. Temporary trail closures are most likely to occur during spring thaw or following heavy summer rainfall events. All active use areas are fenced and barriers have been erected to prevent unlawful entry or trespass.

Trail Monitoring & Maintenance. Trail monitoring and trail maintenance will be done by DNR Area Staff using state equipment per standard agency operating policies and procedures. Methods, materials and technical specifications will be consistent with accepted Best Management Practices as described in DNR's *'Trail Planning, Design & Development Guidelines'* (MN DNR, 2006). Monitoring

and maintenance protocols are also discussed in this publication and in various supplemental guidance documents such as the *DNR Parks & Trails, Trails & Waterways Section, Discipline Guidelines for Invasive Species Management per Operational Order #113* (Eff. Date 02/10/09).

Trail Ambassadors may assist land managers in monitoring trail use. The DNR Division of Enforcement administers the '*Minnesota Off-highway Vehicle Safety & Conservation (or Trail Ambassador) Program*' (MS Ch. 84.9011) which promotes safe, environmentally responsible operation of OHVs through informational and educational contacts, and through volunteer monitoring efforts. Trail Ambassadors provide a positive role model for peers, and can provide welcome support for park visitors. Trail Ambassadors are also trained and certified in trail monitoring, invasive species identification, first aid, OHV rules and regulations, and trail use policies and guidelines.

Enforcement. Local law enforcement, first-responders, and/or emergency medical services personnel will assist DNR Conservation Officers in ensuring public safety during the operation of the newly expanded Iron Range OHVRA. Since operations began in 2002, local officials have not considered this added workload to be problematic or deleterious to their local operations. Although Trail Ambassadors may also assist, on a volunteer basis, they are not licensed peace officers and they cannot arrest or detain violators.

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APPENDIX A
IRON RANGE
OFF-HIGHWAY VEHICLE RECREATION AREA
CITIZEN'S ADVISORY COMMITTEE

MEMBER LIST 2009

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MN DNR, Trails & Waterways
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APPENDIX B
IRON RANGE
OFF-HIGHWAY VEHICLE RECREATION AREA
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APPENDIX C

IRON RANGE

OFF-HIGHWAY VEHICLE RECREATION AREA

MEETING DATES – VIRGINIA SITE

1998 - Present

Local Area Advisory Committee [LAAC] Meetings

- | | | |
|----------------------|--------------|---|
| 1. December 17, 1997 | Gilbert, MN | Orientation / Organizational Pre-Planning Meeting |
| 2. May 11, 1998 | Virginia, MN | Public Info Meeting |
| 3. December 10, 1998 | Virginia, MN | Public Info Meeting |
| 4. January 19, 1999 | Virginia, MN | Public Info Meeting |
| 5. April 5, 1999 | Virginia, MN | Public Info Meeting w/Virginia P&Z Committee |
| 6. July 22, 1999 | Virginia, MN | First regular LAAC Meeting on Virginia |
| 7. August 21, 2000 | Virginia, MN | Public Info Meeting w/Virginia City Council |
| 8. July 22, 2008 | Mtn Iron, MN | Public Info Meeting |
| 9. Feb. 6, 2009 | Mtn Iron, MN | Public Review Meeting |

LAAC Steering Committee Meetings

- | | |
|--------------------|----------------|
| 1. May 11, 1998 | Virginia, MN |
| 2. August 31, 1999 | Teleconference |

Site Design Subcommittee Meetings

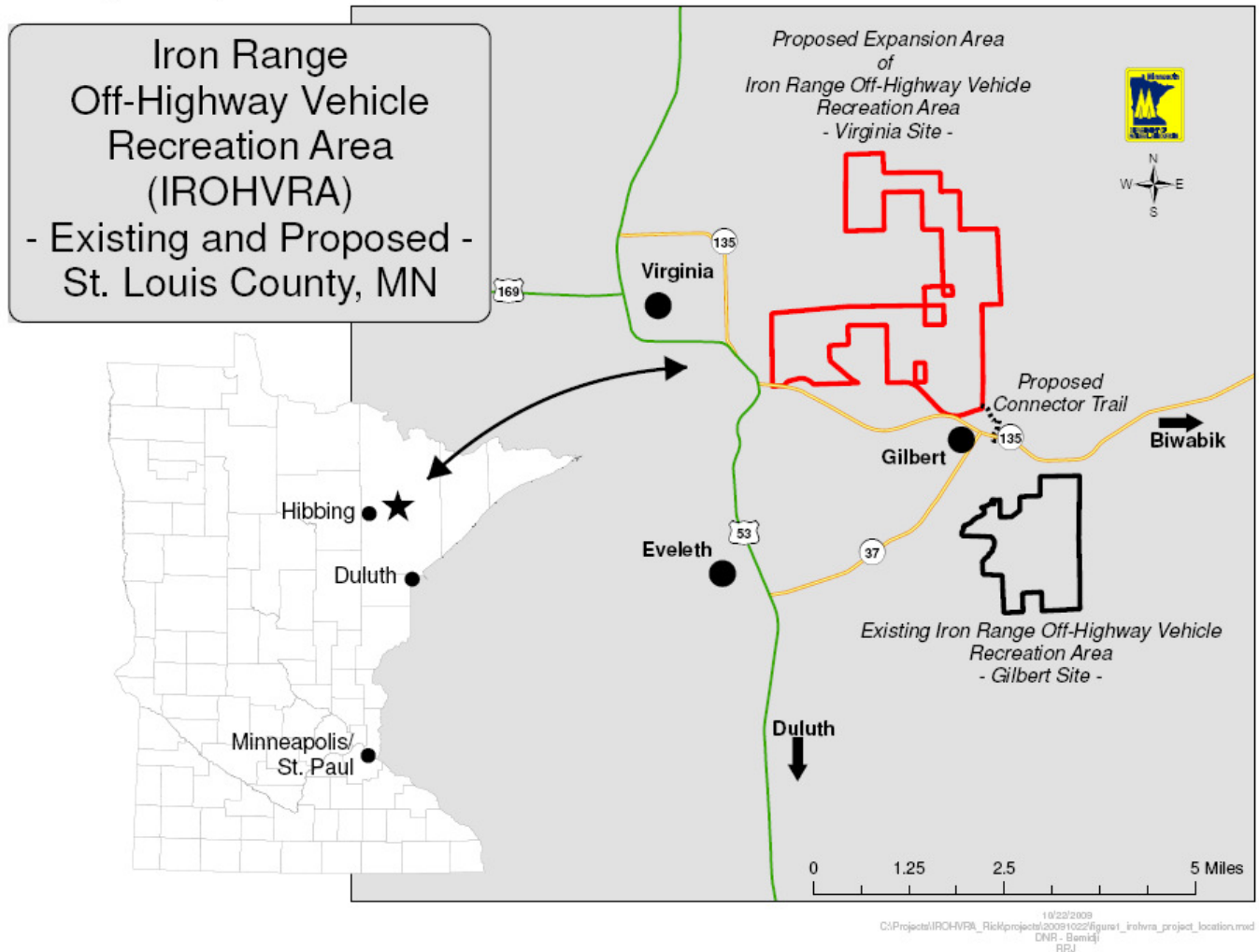
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|-----------------------|--|
| 1. August 31, 1999 | Teleconference |
| 2. Sept. 23, 1999 | IRRRB, Eveleth, MN |
| 3. Oct. 14, 1999 | IRRRB, Eveleth, MN |
| 4. Nov. 4, 1999 | IRRRB, Eveleth, MN |
| 5. Dec. 2, 1999 | IRRRB, Eveleth, MN |
| 6. Jan. 18, 2000 | Chisholm, MN (Joint Meeting w/DNR Tech Team) |
| 7. Jan. 27, 2000 | DNR Offices, Eveleth, MN |
| 8. Feb. 1, 2000 | IRRRB, Eveleth, MN (Joint Meeting w/DNR Tech Team) |
| 9. March 2, 2000 | DNR Offices, Eveleth, MN |
| 10. April 21, 2000 | IRRRB, Eveleth, MN (Joint Meeting w/DNR Tech Team) |
| 11. February 21, 2008 | Gilbert OHVRA |
| 12. March 20, 2008 | Gilbert OHVRA |

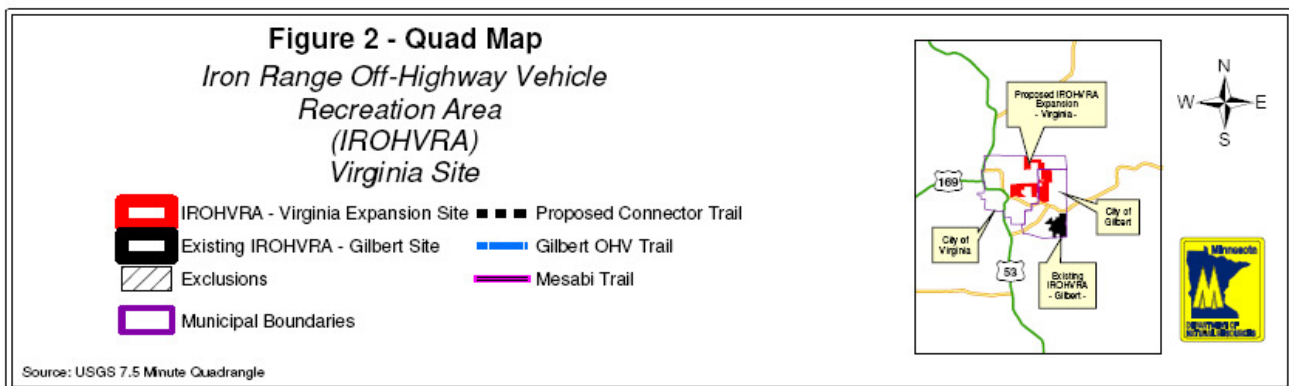
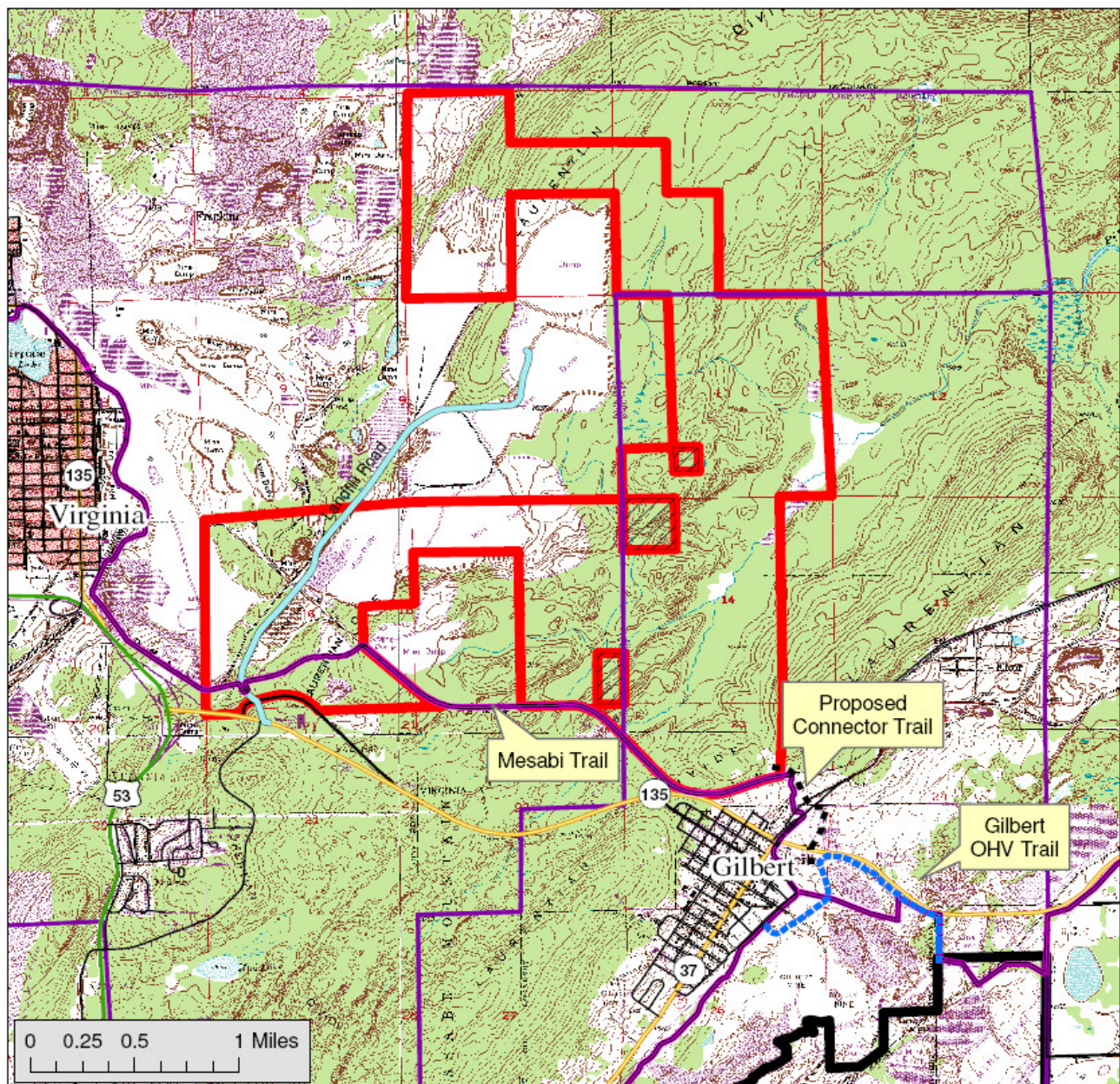
DNR Tower / Hibbing-/ Eveleth Area Team Meetings (pertaining to the OHVRA)

- | | |
|---------------------|---|
| 1. April 1, 1999 | Eveleth, MN |
| 2. August 10, 1999 | Eveleth, MN |
| 3. October 5, 1999 | Eveleth, MN |
| 4. January 18, 2000 | Chisholm, MN (Joint Meeting w/Site Design Team) |
| 5. February 1, 2000 | IRRRB, Eveleth, MN (Joint Meeting w/Site Design Team) |
| 6. April 21, 2000 | IRRRB, Eveleth, MN (Joint Meeting w/Site Design Team) |
| 7. April 3, 2008 | Tower, MN |

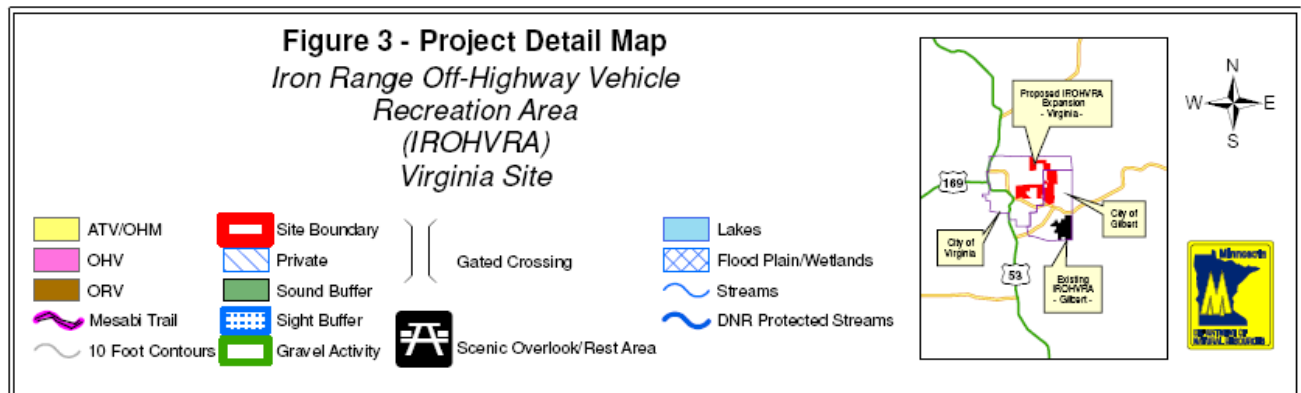
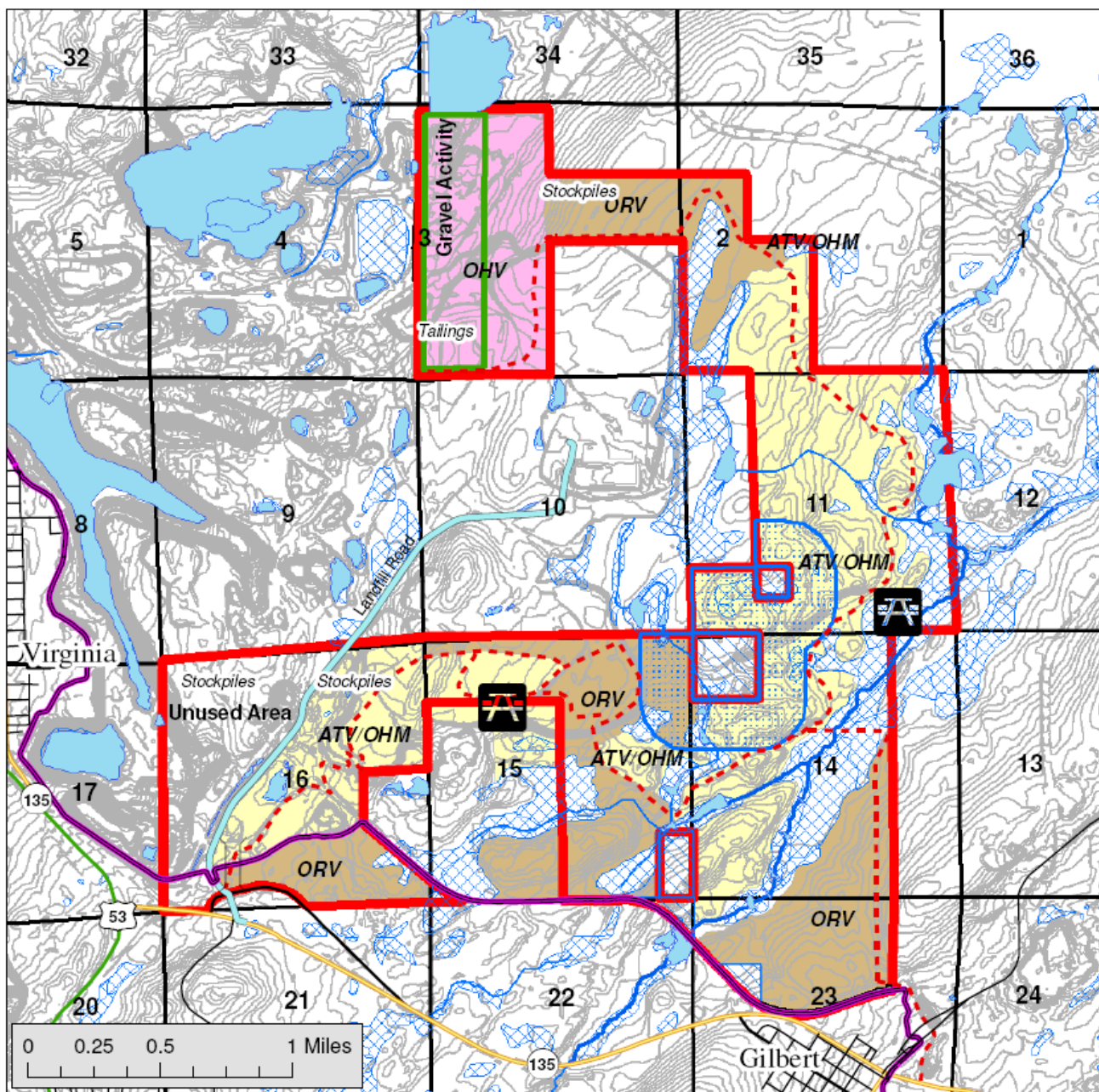
APPENDIX D - FIGURES 1-8

Figure 1 - Project Location Map





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RRJ



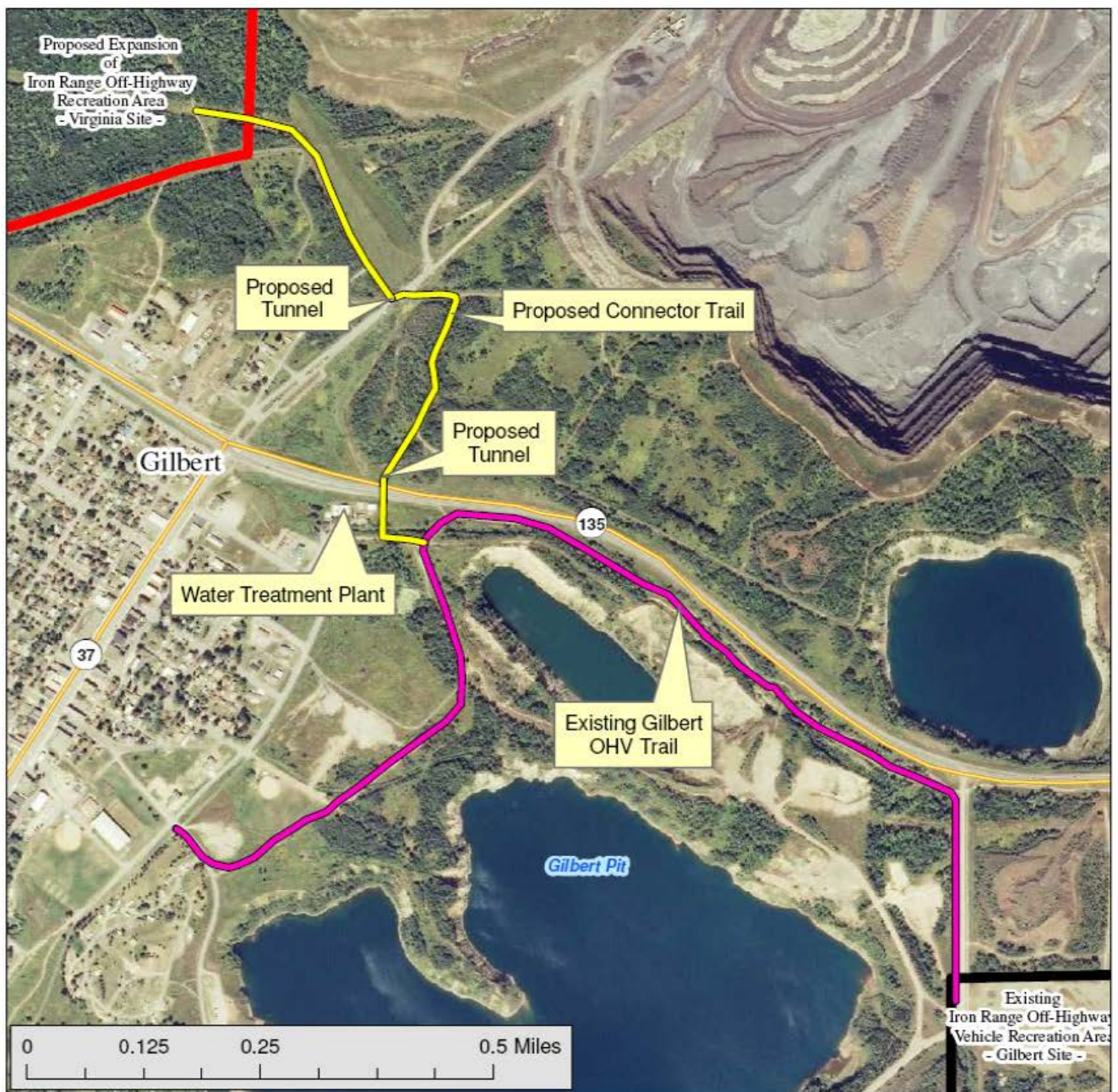


Figure 4 - Connector Trail Detail

Iron Range Off-Highway Vehicle Recreation Area (IROHVRA) Virginia Site

- Existing OHV Trail
- Proposed Connector Trail



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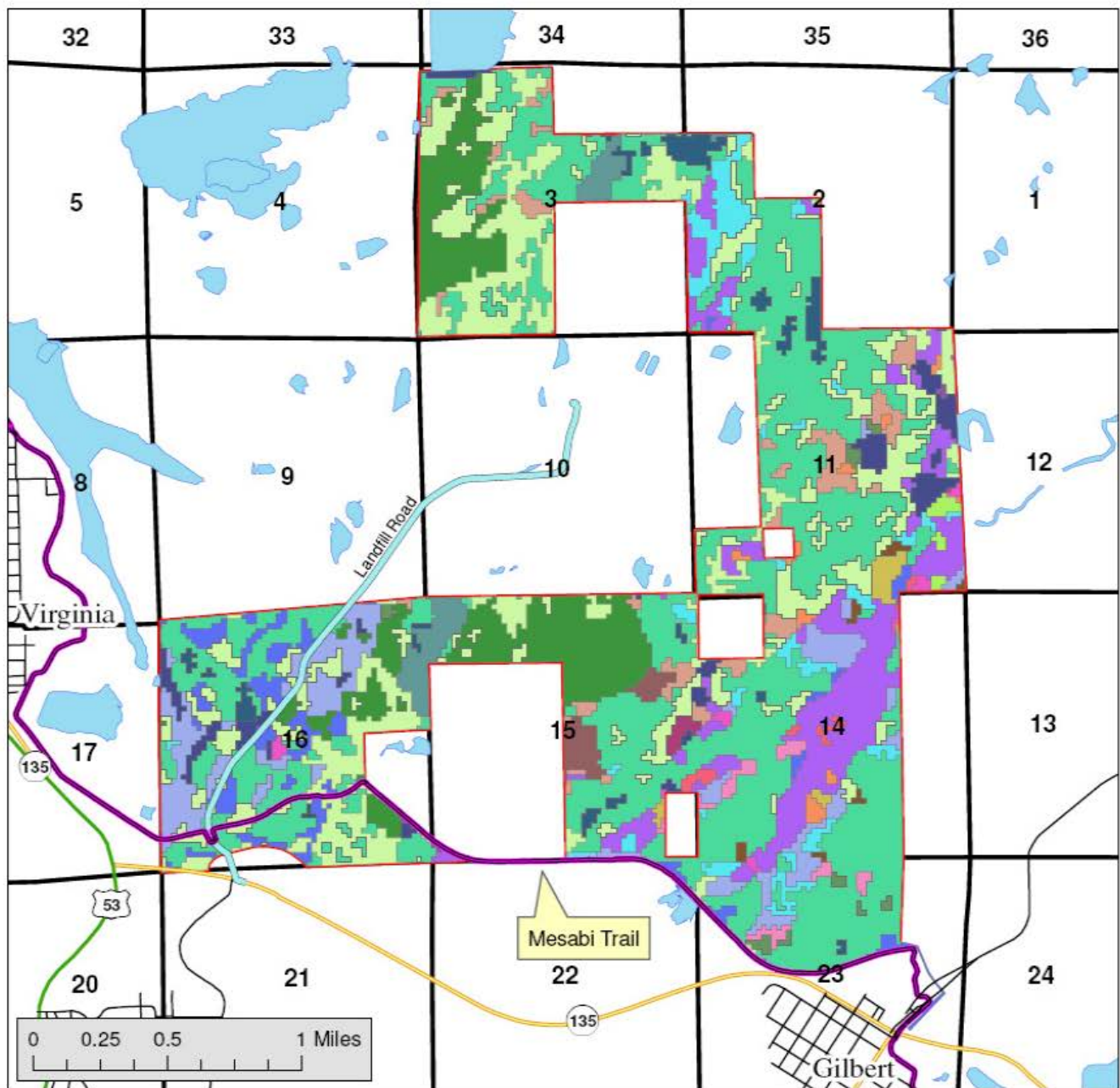
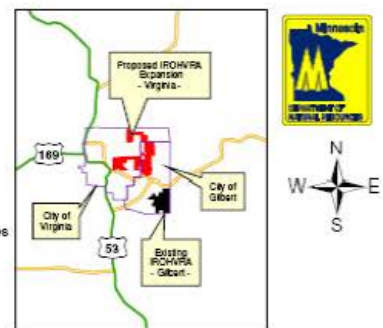


Figure 5 - Vegetative Cover Type Map
*Iron Range Off-Highway Vehicle
 Recreation Area
 (IROHVRA)
 Virginia Site*

Level 4 Land Use	
Aspen/White Birch, 1034.19 Acres	Lowland Black Spruce, 15.94 Acres
Balsam Fir mix, 78.09 Acres	Lowland Deciduous Shrub, 214.96 Acres
Black Ash, 91.66 Acres	Lowland Deciduous, 8.5 Acres
Broadleaf Sedge/Cattail, 6.67 Acres	Lowland Northern White-Cedar, 24.29 Acres
Floating Aquatic, 10.35 Acres	Maple/Basswood, 51.93 Acres
Grassland, 87.35 Acres	Mixed Developed, 255.17 Acres
Jack Pine, 156.41 Acres	Red Pine, 12.9 Acres
	Sedge Meadow, 8.85 Acres
	Stagnant Black Spruce, 1.7 Acres
	Tamarack, 13.6 Acres
	Upland Conifer-Deciduous mix, 18.99 Acres
	Upland Deciduous, 47.65 Acres
	Upland Shrub, 492.56 Acres
	Water, 64.03 Acres
	White Spruce, 8.34 Acres

Source: US Geological Survey's Gap Analysis Program (GAP)



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 DNR - Bemidji
 RJJ

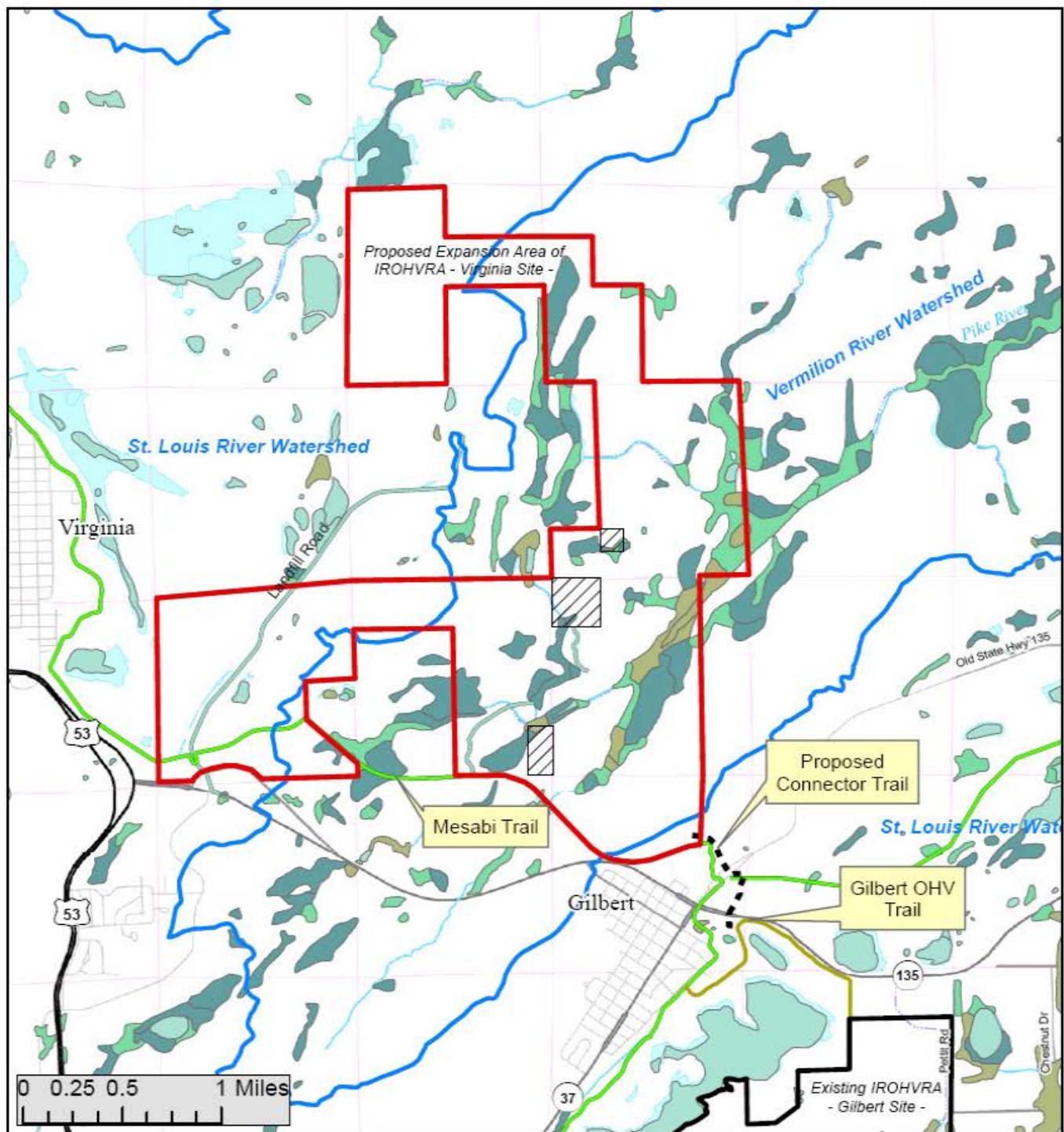
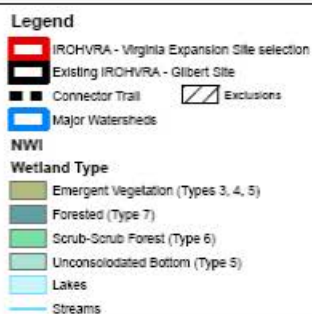


Figure 6 - National Wetlands Inventory (NWI) Wetlands Map

Iron Range Off-Highway Vehicle Recreation Area (IROHVRA) Virginia Site



111403 - VIRGINIA OFF-HIGHWAY VEHICLE RECREATION AREA
DNR - St. Paul, MN



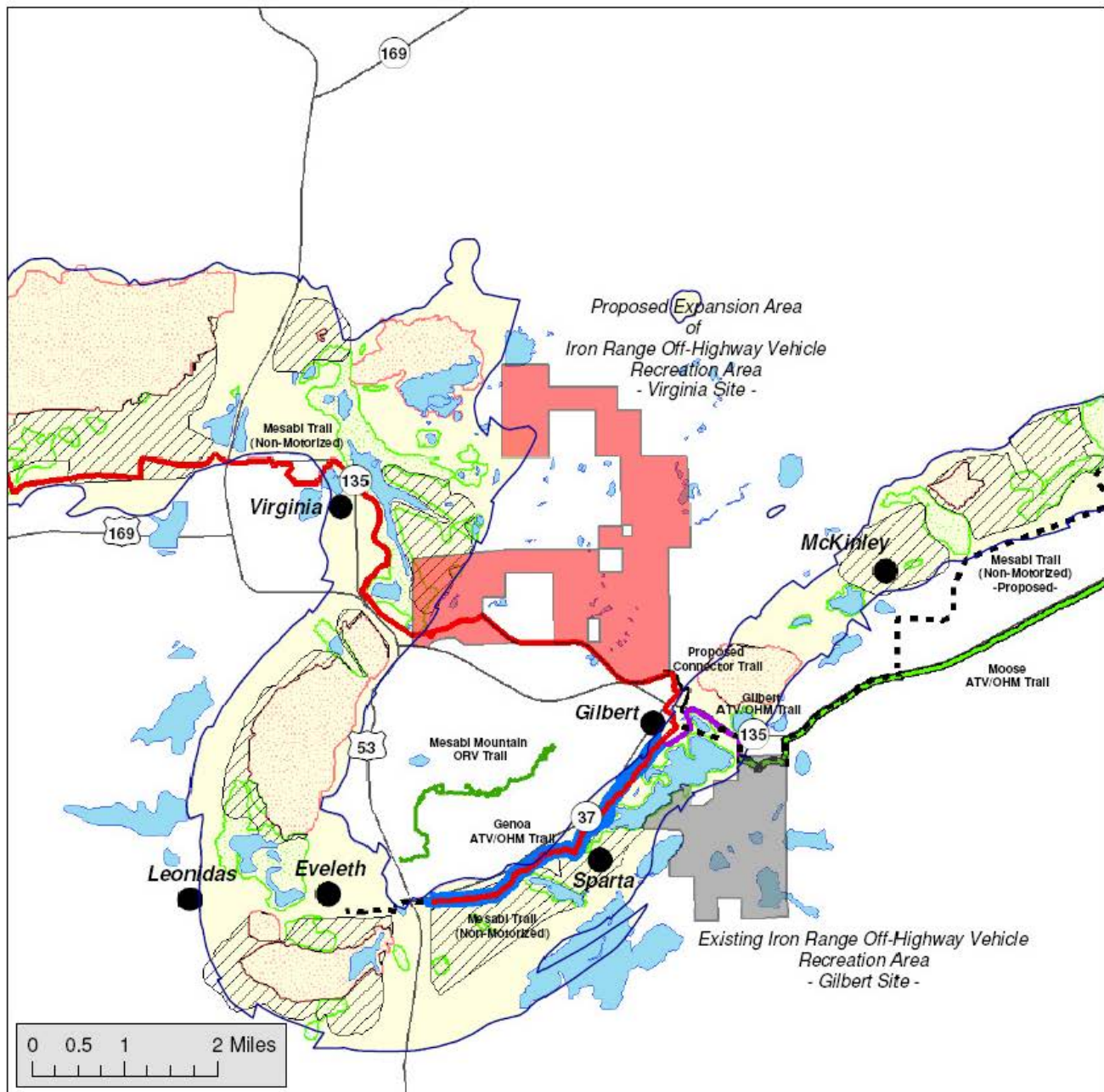


Figure 8 - Major Projects and Trails (Active or Proposed) in Vicinity of Project Area
Iron Range Off-Highway Vehicle Recreation Area (IROHVRA)

- | | |
|--|--------------------------|
| IROHVRA - Virginia Expansion Site | Connector Trail |
| Existing IROHVRA - Gilbert Site | Gilbert - IROHVRA Trail |
| Potential Open Pit Magnetic Taconite Development | Genoa ATV/OHM Trail |
| Natural Ore Pit | Mesabi Trail - Completed |
| Taconite Pit | Mesabi Trail - Proposed |
| Wabik Iron Formation | Mesabi Mtn ORV Trail |
| | Moose ATV/OHM Trail |

Source: DNR Lands and Minerals, DNR Parks and Trails



11/2/2009
 C:\Projects\IROHVRA_Rick\projects\20091022\figure8_irohvr_majr Projects and Trails in Vicinity.mxd
 DNR - Bemidji
 RRJ

APPENDIX E: Natural Resource Reports (Not attached)

1. *Vegetative Cover Type Assessment (06/30/2000)*
2. *Floristic Survey Results, July 1997 – Aug. 1999*
3. *Soils and Geology (06/30/2000)*
4. *Minerals and Mining (10/05/2000)*
5. *Wetland Resource Assessment (12/08/1999)*
6. *Riparian Area Assessment (12/23/1999)*
7. *Natural Heritage Information System (Database Searches Conducted 06/2000, 03/2009, and 11/2009)*

APPENDIX F: Environmental Assessment Worksheet (EAW),
Dated Nov. 12, 2009. (Not attached)

APPENDIX G: EAW Adequacy Decision Document, Dated
January 15, 2010. (Not attached)